DOCUMENT RESUME

ED 155 251 UD 018 232

TITLE Equal Opportunity in the Fort Wayne Community Schools: A Continuing Struggle.
INSTITUTION Indiana State Advisory Committee to the U.S. Commission on Civil Rights, Indianapolis.
PUB DATE May 77
NOTE 56p.; Parts of this document may be marginally legible due to the print quality of the original document

EDRS PRICE MF-$0.83 HC-$3.50 Plus Postage.
DESCRIPTORS Bus Transportation; Civil Rights; *Educational Opportunities; Elementary Secondary Education; *Equal Education; Integration Litigation; *Integration Methods; *Integration Plans; Minority Groups; *Racially Balanced Schools; *School Integration; Student Placement; Teacher Placement; Urban Schools
IDENTIFIERS *Indiana (Fort Wayne)

ABSTRACT

This report from the Indiana Advisory Committee to the United States Commission on Civil Rights discusses issues of equal educational opportunity in the Fort Wayne Community Schools (FWCS). It was found that, while racially identifiable junior and senior high schools have been eliminated, the proportion of minority students attending racially identifiable elementary schools increased from 67 percent in 1970 to 78 percent in 1975. From 1969 to 1975 there were several Title VI violations, including teacher and student assignment practices. In 1975, charges were dropped, except teacher assignment. Civil Rights violations are still being reviewed. A recent reorganization plan proposed by the FWCS superintendent has met opposition from many white and minority organizations, parents, and teachers. Opposition has centered on plans to close several inner city schools, build a new high school in an all white area, place the burden of busing entirely upon minority students, and desegregate only a portion of the elementary schools. Based on these findings, the Advisory Committee makes a number of recommendations to the FWCS, the Office for Civil Rights, and the Department of Justice regarding the Fort Wayne case. (Author/MC)

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Equal Opportunity in the Fort Wayne Community Schools: A Continuing Struggle

May 1977

ED155251

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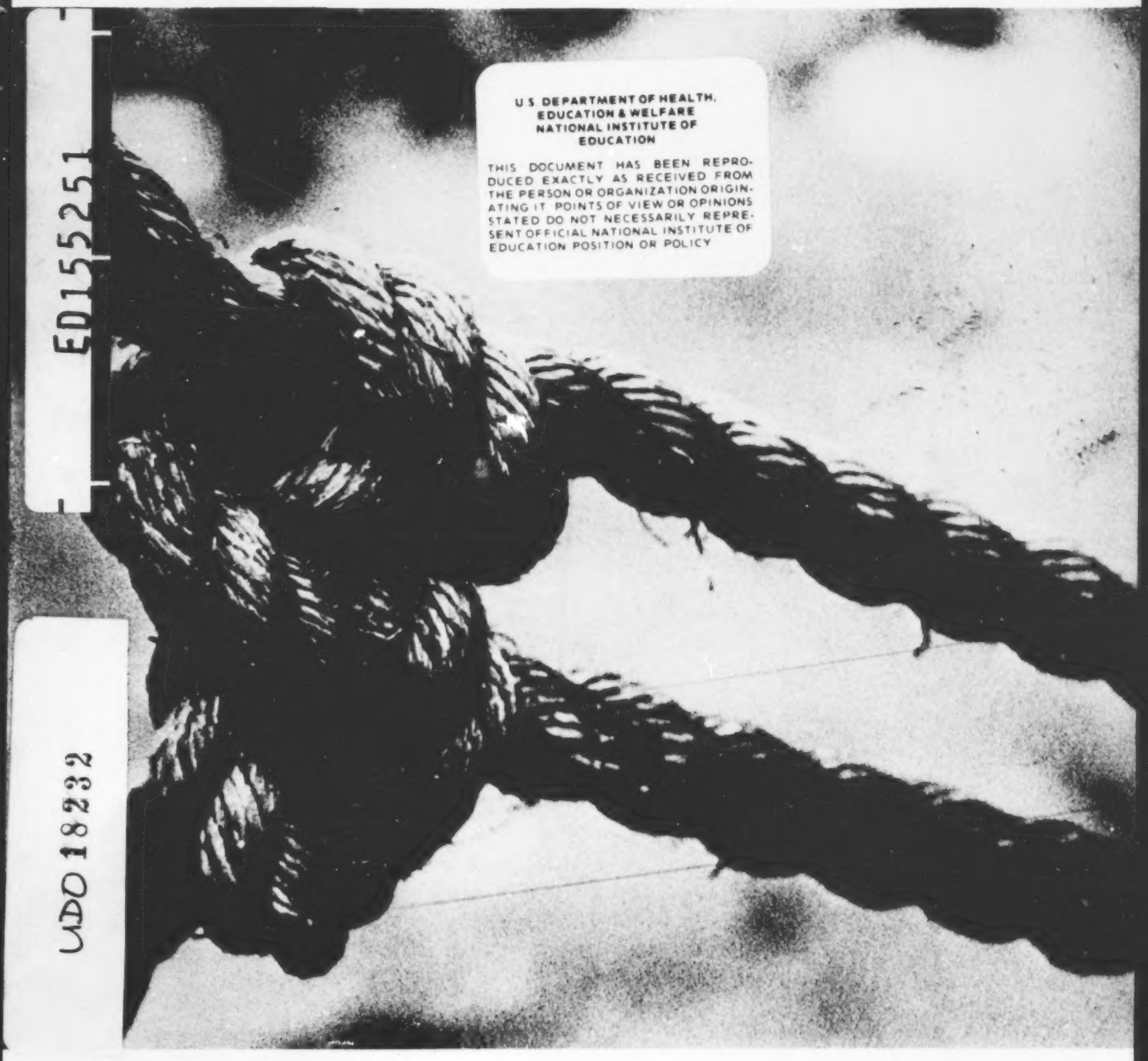

—A report of the Indiana Advisory Committee to the United States Commission on Civil Rights prepared for the information and consideration of the Commission. This report will be considered by the Commission, and the Commission will make public its reaction. In the meantime, the findings and recommendations of this report should not be attributed to the Commission, but only to the Indiana Advisory Committee.

Equal Opportunity in the Fort Wayne Community Schools: A Continuing Struggle

—A report prepared by the Indiana Advisory Committee to the U.S. Commission on Civil Rights

ATTRIBUTION:

The findings and recommendations contained in this report are those of the Indiana Advisory Committee to the United States Commission on Civil Rights and, as such, are not attributable to the Commission. This report has been prepared by the State Advisory Committee for submission to the Commission, and will be considered by the Commission in formulating its recommendations to the President and the Congress.

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LETTER OF TRANSMITTAL

INDIANA ADVISORY COMMITTEE
TO THE U.S. COMMISSION ON
CIVIL RIGHTS
May 2, 1977

MEMBERS OF THE COMMISSION
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John A. Buggs, *Staff Director*

Sirs and Madam:

The Indiana Advisory Committee submits this report on issues of equal educational opportunity in the Fort Wayne Community Schools (FWCS) as part of its responsibility to advise the Commission about civil rights problems within this State.

This report is a review of activity in the FWCS by the Office for Civil Rights (OCR) of the Department of Health, Education, and Welfare (HEW); the Department of Justice; and the Indiana Civil Rights Commission (ICRC), from 1968 to the present. It also addresses recent FWCS administration proposals for school reorganization and improved racial balance at the elementary level, and the reactions of the community to that plan.

The Advisory Committee has found that, while racially identifiable junior and senior high schools have been eliminated in the FWCS, the proportion of minority students attending racially identifiable elementary schools increased from 67 percent in 1970 to 78 percent in 1975. In 1969 and 1971 OCR found several possible Title VI violations, including student and teacher assignment practices. In July 1975 HEW was sued for not concluding investigations or beginning enforcement proceedings in 46 school districts, including Fort Wayne. In August 1975 OCR dropped all potential Title VI charges against the FWCS except teacher assignment, and no written record was kept of the basis for that action. Meanwhile the Department of Justice received several complaints from black parents alleging civil rights violations in the FWCS and is still reviewing the case.

The FWCS civil rights issues are also the subject of a complaint filed in 1974 by the ICRC, which is attempting conciliation, without success to date. The Advisory Committee found that there has been little or no coordination between ICRC, OCR, and the Department of Justice in these investigations.

The Advisory Committee has also found that a recent reorganization plan proposed by the FWCS superintendent has met opposition from many white and minority organizations, parents, and teachers. Opposition has centered on plans to close several inner-city schools, build a new high school in an all-white area, place the burden of busing entirely upon minority students, and desegregate only a portion of the elementary schools.

Based on these findings, the Advisory Committee recommends that a number of specific actions be taken by local, State, and Federal officials. The report contains recommendations to

the FWCS, OCR, and the Department of Justice regarding the Fort Wayne case. The Advisory Committee also recommends that the Commission monitor specific OCR investigations and seek State-Federal coordination of such investigations.

It is the Advisory Committee's hope that the Commission will support these recommendations with specific actions, that the inadequacies of Federal and State civil rights enforcement in the Fort Wayne case can be rectified and that the Fort Wayne example can be one starting point for improvements throughout the enforcement of equal educational opportunity in the Nation.

Respectfully,

Harriette Bailey Conn
Chairperson

PREFACE

School desegregation has been a controversial issue in the Fort Wayne community for at least 10 years. It is an issue that heated up considerably in the winter and spring of 1977 and that promises to spark controversy in the months ahead. This report is not the end of the story. In this report, released in its unpublished form early in May 1977, the basic conflicts that have long been raised in Fort Wayne are reviewed and the current issues are discussed. Recommendations are also offered for dealing with some of the prevailing issues.

The first chapter of this report is based upon extensive documentary review and telephone interviewing by the Commission's Midwestern Regional Office. Sources of information included local, State, and Federal agencies having relevant information on the Fort Wayne Community Schools (FWCS), as well as representatives of local and national organizations concerned with these issues. The second chapter summarizes supporting information gathered onsite by Commission staff in April 1977 and additional documentary analysis and telephone interviewing. All sources of information are cited in the text or footnotes.

Supporting documentation cited in this report and related documents not cited are retained in the files of the Commission's Midwestern Regional Office, Chicago, Ill. Copies of files of Federal agencies are available to the public through requests made under the Freedom of Information Act, 5 U.S.C.A. 552, as prescribed by the Commission's rules and regulations for the filing and granting of such requests, 45 C.F.R. 704, including procedures for requesting waiver of search and copying fees under certain conditions.

All inquiries for documents under the Freedom of Information Act should be sent to the Director of the Commission's Midwestern Regional Office, 230 S. Dearborn St., Room 3280, Chicago, Ill. 60604.

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THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, created by the Civil Rights Act of 1957, is an independent, bipartisan agency of the executive branch of the Federal Government. By the terms of the act, as amended, the Commission is charged with the following duties pertaining to denials of the equal protection of the laws based on race, color, sex, religion, or national origin: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

THE STATE ADVISORY COMMITTEES

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective State on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

ACKNOWLEDGMENTS

This report was written by Gregory D. Squires, research/writer. Field investigation was performed by Squires and Frank E. Steiner, equal opportunity specialist. Editorial and legal assistance were provided by Margaret V. Johnson, regional attorney. Other assistance in the preparation of this report was provided by Delores Miller, administrative assistant, and Ada L. Williams, clerk-stenographer. The report was prepared under the supervision of Clark G. Roberts, Regional Director, Midwestern Regional Office.

Final production of the report was the responsibility of Audree Holton and Vivian Washington, supervised by Bobby Wortman, Office of Management, U.S. Commission on Civil Rights.

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Chapter One

> The ineffectiveness of the plans OCR negotiates is compounded by its lack of an adequate followup program***.
>
> OCR should not consider any school district to be in compliance unless it addresses all deficiencies, including student assignment.
>
> U.S. Commission on Civil Rights, 1975[1]

The process of school desegregation has been a long and hard struggle in the Fort Wayne Community School System. It is a struggle that is far from over, one that promises to heat up considerably in the next few weeks. While there have been significant accomplishments, much remains to be done and there is much controversy over what specific goals should be set and how they should be achieved. This report presents a brief overview of the school desegregation controversy, an assessment of pending proposals and the reactions of various segments of the community to the current situation, and recommendations for resolving at least some of the prevailing issues.

Overview

Student and Teacher Assignment

Between the fall of 1970 and the fall of 1975 total enrollment in the Fort Wayne Community School System declined from 43,400 to 40,250 while minority enrollment increased from 7,025 (16 percent) to 7,911 (20 percent). As table 1 indicates, some progress was made towards desegregating the schools, particularly at the junior and senior high levels. The percentage of minority students enrolled in schools with minority enrollments of 50 percent or more declined from 66 percent to 43 percent. This change is entirely accounted for by changes in junior and senior high school enrollments where, according to the data supplied by the school system, all schools had minority enrollments between 9 percent and 35 percent of total enrollments in the fall of 1975. This resulted in part from a reorganization of the junior high schools. Among elementary students, however, segregation increased. The percentage of minority elementary students in schools with 50 percent or more minority enrollment increased from 67 percent to 78 percent between 1970 and 1975.

Improvements were also made in the number of schools with minority enrollment between 10 percent and 30 percent of total enrollment.[2] Again most of the progress was made at the junior and senior high school level where 89 percent of the schools had minority enrollment within this band in 1975 compared with 17 percent in 1970. Among elementary schools the change was from 17 percent to 20 percent. At the same time, however, the percentage of elementary schools with minority enrollment of 5 percent or less, or 50 percent or more, increased from 66 percent to 72 percent. While progress has been made in desegregating the school system as a whole, virtually all of it occurred at the upper levels. Considerable improvement remains to be made at the elementary school level.

As a result of an agreement entered into with the Office for Civil Rights (OCR) of the U.S. Department of Health, Education, and Welfare (HEW) in 1976, Fort Wayne has agreed to assign its faculty in such a way that the proportion of minority teachers within each school approximates the proportion of minority teachers throughout the system. (See appendix A for a copy of the teacher assignment plan for the 1976 school year that was approved by OCR and a copy of final teaching assignments for that year.)

The OCR Investigation

In 1968 OCR began a series of investigations into the student and teacher assignments of the Fort Wayne Community Schools. In its 1969 and 1971 onsite reviews, OCR found evidence of potential Title VI[3] violations in the assignment of both students and teachers. Among the discriminatory factors cited were the use of optional high school zones, gerrymandering of school boundaries, school site selection, lack of comparable

TABLE 1

DESEGREGATION IN FORT WAYNE COMMUNITY SCHOOLS: 1970–75

	1970–71	1975–76
Total enrollment	43,400	40,250
Elementary	24,901	21,750
Junior & senior high	18,499	18,500
Minority enrollment	7,025 (16%)	7,911 (20%)
Elementary	4,409 (18%)	4,404 (20%)
Junior & senior high	2,616 (14%)	3,507 (19%)
Number of elementary schools	41	46
Number of junior & senior highs	18	18

	Elementary		Secondary	
	1970–71	1975–76	1970–71	1975–76
Percent of schools with less than 5% or more than 50% minority enrollment	66%	72%	72%	0%
Percent of schools with minority enrollment between 10% and 30%	17%	20%	17%	89%
Percent of minority students in schools with 50% or more minority enrollment	67%	78%	65%	0%

	1970–71	1975–76
Percent of minority students at all levels in schools with 50% or more minority enrollment	66%	43%

Source: Fort Wayne Community Schools, Enrollment Data: 1970–71 and 1975–76.

facilities, lack of comparability in teacher recruitment, and different grade plans for predominantly white and predominantly black schools. Review of 1973–74 enrollment data found that 5 elementary schools had minority enrollments above 90 percent, 4 others were more than 50 percent minority, and 19 had less than 3 percent minority students. More than 73 percent of the district's minority students were in schools with minority enrollments of 50 percent or more. In 1971, 39 of 66 black elementary school teachers were in nine schools with over 50 percent black enrollment. Seventeen elementary schools had no minority teachers, and 7 of these had a minority enrollment of less than 3 percent. A similar pattern was found for the 1973–74 academic year with respect to teacher assignments. According to HEW, by February 1975 student racial imbalances in the junior and senior high schools were substantially reduced. Improvements were reportedly also made in the grade plan used in predominantly black schools.[4]

In 1975, in the case of *Brown v. Weinberger*,[5] HEW was sued for: (1) failure to initiate investigations of discrimination in school districts where racial imbalances gave cause to believe that certain districts were violating Title VI; (2) failure to act expeditiously in completing investigations of alleged Title VI violations that the Department had initiated; (3) failure to commence enforcement proceedings in certain cases where violations were found and voluntary compliance had not been reached; and (4) failure to commence enforcement proceedings against schools determined by HEW to be ineligible for Emergency School Aid Act (ESAA) funds because they were practicing segregation and discrimination. Forty-six school districts, including 15 in Region V, were included. The Fort Wayne Community Schools was one of the districts, found to be in violation of Title VI by HEW, in which voluntary compliance had not been achieved and where enforcement proceedings had not been initiated. In July 1976, United States District Court Judge John J. Sirica ordered HEW, within 60 days, either to commence enforcement proceedings against Fort Wayne or to make an administrative determination that the district was in compliance.

A conference was held in Cleveland between August 13 and 15, 1975, to discuss the then pending *Brown* case. Among those attending the conference were Martin Gerry (Acting Director, OCR), Kenneth Mines (Region V Director, OCR), and Orrie Barr (Region V Education Branch Chief, OCR in Cleveland). At that conference a decision was made to drop the student assignment issue and to pursue the teacher assignment issue. The decision to drop the student issue was made in part because Fort Wayne had reduced racial imbalances at the junior high school level,[6] according to HEW documents. According to Kenneth Mines, it was determined at the Cleveland conference that the evidence was insufficient to support a Title VI violation.[7]

Subsequent reviews of the Fort Wayne school situation, and of the situation in other schools included in the *Brown* decision, call into question OCR's handling of its investigation. Frank Krueger, attorney with the HEW Office of General Counsel (OGC), who negotiated the teacher assignment issue with Fort Wayne, said in March 1977 he believed at that time, and still believes, that there is a student assignment case which could be made. According to Krueger, the junior high school reorganization did not resolve the issue satisfactorily. When the Fort Wayne case was referred to Krueger, however, it was simply a teacher assignment case. Krueger said that according to his recollection of the situation, student assignment patterns constituted a Title VI violation and that he could probably convince OCR to initiate administrative proceedings if he had the time to review the situation.[8]

William L. Taylor, director of the Center for National Policy Review and attorney for the plaintiffs in the *Brown* case, also believes there may still be a Title VI violation based on student assignment. (See appendix B for a summary of the center's assessment of the Fort Wayne situation.) Taylor also expressed concern about the fact that there is no written record indicating why the student issue in Fort Wayne and in several other *Brown*-related school systems was dropped. According to Taylor, there is nothing in the *Brown* files explaining why this issue was dropped.[9] In response to a memo from Frederick T. Cioffi (Chief, Operations Branch, Office of the Secretary, HEW) to Orrie Barr, asking for documents that would explain why the student assignment issue was dropped, Cioffi was informed that "no docu-

ments exist therein which explain why the student assignment issue was dropped."[10] Cioffi said in his request,

> My recollection is that the files may be silent, since most of these cases were presented verbally in Cleveland and/or San Francisco and the decision to drop the issue was due to lack of sufficient evidence. Everything was verbal at these conferences.[11]

Taylor said he has been unable to obtain a satisfactory explanation from OCR as to why the student issue was dropped and suggested that the handling of the Fort Wayne student issue is not unusual in OCR investigations. In a November 12, 1976, letter from Cioffi (see appendix C), Taylor was told: "In those cases where issues were not sustained by appropriate evidence the respective regional offices were verbally directed to disregard the issue. In other words the file probably does not contain any documents because the direction was given orally." Taylor is considering requesting the new administration to reopen the Fort Wayne investigation.

After OCR's initial investigation, the Civil Rights Division of the U.S. Department of Justice began to examine the Fort Wayne situation. The impetus for the Justice Department's investigation was a series of letters received by the United States Attorney for the Northern District of Indiana from parents of black students in the Fort Wayne Community Schools alleging their children were denied equal educational opportunity, and informal discussions between HEW and Justice Department officials.[12] According to Krueger, OCR agreed not to initiate administrative proceedings over the student issue if the Justice Department decided to go to court.[13] After an "exhaustive investigation," Alexander Ross (Chief, Education Section, Civil Rights Division, U.S. Department of Justice) said, the Justice Department concluded in the summer of 1976 that there was insufficient evidence to support Justice Department action under Title IV of the Civil Rights Act of 1964. One issue that remains alive involves the zone lines of a couple of schools. However, while the case has not been formally closed, Ross said, the investigation was virtually completed last summer.[14] When Commission staff informed Krueger of Ross' statements, he said he would check with the Department of Justice himself to determine the status of the student assignment investigation and might push to reopen the case at OCR.

Daniel Jennings, however, an attorney with the Civil Rights Division of the Department of Justice, is still reviewing the student assignment issue in Fort Wayne. Earlier this year Jennings sent a memo to his supervisors (including Ross) and as of March 22 he was preparing another memo containing recommendations regarding student assignment and possible Justice Department action in the Fort Wayne Community Schools.[15] He refused, however, to indicate the nature of the information contained in these memos. He mentioned that such information was not decisive, since his supervisors would make all final decisions. Jennings maintained that both he and Ross were saying the same things, but that the connotations of their statements might be different. Jennings said he would inform the Commission's Midwestern Regional Office about any formal decisions when such decisions were made.

OCR did proceed with the teacher assignment issue. On November 17, 1975, Kenneth Mines sent a letter (see appendix A) to Superintendent Grile, notifying him that the Fort Wayne Community Schools were out of compliance with Title VI. The school district was given 90 days to comply voluntarily, and Mines indicated HEW's willingness to work with the district to develop an acceptable plan. In February 1976, Mines sent Grile another letter indicating the case was being referred to OGC with a recommendation to initiate enforcement proceedings. Robert S. Walters, attorney for the Fort Wayne Community Schools, responded on March 22, 1976, with a proposed teacher reassignment plan (see appendix A) to be implemented in the fall of 1976. Grile provided OGC attorney Frank Krueger additional information on the teacher reassignment plan in a June 1976 letter. On September 23, 1976 (65 days after Judge Sirica had ordered HEW, within 60 days, to initiate enforcement proceedings or determine the district was in compliance), Lloyd R. Henderson (Director, Elementary and Secondary Education Division, OCR), notified Grile (see appendix A) that the plan had been approved. Approval was predicated on Fort Wayne's agreement to improve teacher racial balance and to assign faculty "so that at each school there will be a substantially equal admixture of teachers according to ex-

perience, teaching skills, and post-graduate degrees." In his letter Henderson asked Grile to provide a list of the final teacher assignments and a breakdown of teachers assigned to each school according to race, educational degrees, certificates, and experience. Henderson asked that such information be submitted by October 15, 1976.

On September 30, 1976, Grile sent Henderson a letter containing a list of the number of black teachers assigned to each elementary school. Additional information on the number of years of experience and the highest degree earned for the black teachers who were transferred was also provided (see appendix A). However, according to Leonard Hamilton (OCR, Cleveland), Fort Wayne did not provide the systemwide breakdown of the experience and education of teachers in each school until mid-April 1977. As of April 27, OCR had not had time to analyze that information.[16] Preliminary analysis of that data by Commission staff indicates that an equal admixture of teachers according to experience and postgraduate degrees has not been achieved. Also, faculty assignments appear to continue to contribute to the racial identifiability of elementary schools (see appendix G).

The Indiana Case

In 1974 the director of the Indiana Civil Rights Commission filed a class action complaint with that commission against the Fort Wayne Community Schools and the Indiana Department of Public Instruction, alleging the denial of equal educational and employment opportunity to blacks, Spanish surnamed, and women (*State of Indiana v. Fort Wayne Community Schools*, No. 05804). This complaint did not involve teacher or student assignment. Instead, it cited the school system for discrimination in its hiring and promotion practices and in the content of the educational program. Failure to provide special programs to Spanish-speaking students, discouraging women from taking industrial arts and men from taking home economics, unequal provision of athletic facilities between men and women, perpetuating sexist stereotypes regarding occupations and opportunities for women in the counseling programs, and the use of textbooks that perpetuate negative racial and sexist stereotypes were some of the specifics in the complaint. In July 1976, Joseph R. Smith, conciliation officer of the Indiana Civil Rights Commission, sent Superintendent Lester L. Grile a proposed consent agreement. The superintendent responded on July 27 that he would like more specific information before agreeing to meet in order to work out a mutually satisfactory solution.

Later in the summer, however, the Fort Wayne Community Schools sent a counterproposal to the Indiana Commission on Civil Rights and requested that conciliation proceedings be initiated. A total of 15 issues are now being negotiated. After 4 months, three of the issues have been discussed, but no resolution on any issue has been reached. Denise Walderich, Indiana commission staff member who was involved in the investigation of the complaint and who is currently involved in the conciliation, would not predict when the conciliation will be completed.[17]

Reorganization and Reaction

The Superintendent's Plan

On January 24, 1977, Superintendent Lester L. Grile submitted a school reorganization plan to the board of trustees having the following stated objectives:

1. To provide better educational programs.
2. To maximize utilization of facilities and staff.
3. To upgrade educational facilities in order to accommodate present and future needs.
4. To improve racial balance.
5. To develop a financial program which is economically feasible. (For a copy of *A Proposed Plan for the Fort Wayne Community Schools 1977–1983*, see appendix D.)

Grile stated in his plan that: "This proposal must be considered as a total package since each part is dependent for effectiveness upon each other part***.The proposal establishes a direction for the Fort Wayne Community Schools which has implications for the next twenty years." He recommended that the board approve the plan at its April meeting so that implementation could be initiated in September 1977, and be completed by September 1980. He acknowledged his apprecia-

tion for the Peabody evaluation (see note 2) and stated, "Several major components of this plan relate to the Peabody Study."

The plan calls for grade reorganization, the closing of some schools and the construction of new facilities, pupil reassignments, and other actions to meet the objectives. Specifically, the plan calls for closing six elementary schools, five of which are in the central city and four of which have minority enrollments of 75 percent or more. Thus 4 of the 10 elementary schools with predominantly minority enrollments would be closed. Two of the elementary schools to be closed under this proposal would be turned into enrichment centers where fourth- and fifth-grade students would spend 1 week each semester for human relations training and preparation for later school years. Elementary schools would contain grades K–5, junior high schools would house grades 6–8, and senior high schools would serve grades 9–12. Students currently attending schools that would be eliminated in the plan would be transferred to schools immediately bordering the central city. Finally, a new high school would be built in the predominantly white, northeastern portion of the school district.

Grile's proposals have not met with unanimous approval among board members, and much sharper criticism has been directed against the plan by other members of the community. Board member Lorraine Davis stated, "I want to emphasize this is a proposed plan. As far as the administration is concerned this may be a single unit plan, but as far as the community is concerned, and perhaps as far as the board is concerned it's not necessarily a unit plan."[18] Fred Meriwether, one of two black board members said, "I'm not pleased with the plan as it presently exists. The comment I hear over and over again is that it seems as if the onus is being put on the minority community again."[19] Board member Leonard Goldstein claimed the commitment made by the board on July 8, 1974, "to eliminate racial segregation in the entire school system," is diluted in the plan. However, Goldstein said he found the plan "acceptable, but falling far short of what I think is even a beginning of what we want."[20]

The major criticism of the plan from other community members revolves around the desegregation issue. It is reportedly argued, first, that the plan does not go far enough towards desegregating the schools and, secondly, that the burden is placed entirely on the black community. Some critics maintain that the extent of desegregation predicted in the plan is less than that in any of the five plans recommended in the Peabody report.[21] Former Mayor Ivan Lebamoff charged the plan was designed to barely meet legal pressures for desegregation.[22] Grile's response to this line of argument was that the Peabody plans would not completely desegregate all the schools and that his plan would result in 66 percent of all black students attending schools with a white majority and just 33 percent attending majority black schools by 1980. In addition, only 6 of the 38 elementary schools would be predominantly black by that time.[23]

Nowhere in the plan or in the newspaper articles obtained by the Midwest Regional Office of the U.S. Commission on Civil Rights, however, does Grile make any reference to the 10 percent to 30 percent band cited in the Peabody report as providing "optimum potential for meaningful minority-majority interaction." One question that remains unanswered is what percentage of the schools will be brought within this band. Grile stated his plan would reduce the percentage of black students attending majority black schools to 33 percent. This would represent a reduction of approximately 10 percent, since 43 percent of minority students were enrolled in predominantly minority schools in 1975 (see table 1). As indicated above, this is not considered enough by some board members and others in the community.

Harsher comments were directed at the plan because it places the burden of desegregation on the black community. The fact that all busing would be one way, involving busing of black students out of the central city, and that a new high school would be built in a predominantly white area while several schools in the central city would be closed were particularly sore points. One black mother said, "We have been going to the white schools for a long time. It's time for you to come to some of our schools." She went on to argue that it would be just as easy to remodel the older schools as to tear them down.[24] Concerns were also expressed about declining property values in the central city once the schools were gone and the difficulty parents would have in getting to PTA

meetings and having a role in the school community in general.[26] In responding to questions about the possibility of two-way busing and building the high school in the central city, Grile said the administration does not think "two-way busing has an educational value. We do not think it is worth the effort or the money." He argued that by constructing the new high school where the population is growing most rapidly, fewer students will have to be bused than if it were built in the central city.[26]

But these are not the only issues. Grile was also criticized by Frank W. Heyman, executive director of the Allen County Economic Opportunity Council (ACEOC), for "the arrogance with which this plan was put forward." In response to Grile's claim that the plan should be treated as a total package, Heyman went on to say, "No plan is such a sacred cow that any piece of it can't be discussed by the community."[27] Lebamoff also accused Grile of failing to take into consideration any input from the community: "We've broken our backs, given the school administration some real honest to goodness thinking over which we agonized, yet we've had absolutely no response, or even any indication they wanted to listen." He went on to say, "They've rejected our suggestions out of hand; they've rejected the Urban League's suggestions; they've rejected the Fort Wayne Education Association's suggestions."[28] Rose Gerra, a representative of the Educational Council for Latino Affairs, noted that the plan failed to include any provision aimed at furthering bilingual and bicultural education,[29] an issue also covered in the Indiana Civil Rights Commission's complaint.

One indication of the reaction to Grile's plan in the black community is a petition, signed by 1,500 parents, opposing the plan. The petition criticizes the plan for its reliance on one-way busing, for the proposal to build a new high school on the north side of the district, and for "dodging the issue" of desegregation of grades K–5.[30] Several other organizations, including the Fort Wayne Urban League, the Fort Wayne NAACP, the Fort Wayne Education Association, and the Allen County Economic Opportunity Council have all made public statements against the plan. One possible tactic that has been discussed is to draw up an alternative plan to present to the board.[31]

An Alternative to the Superintendent's Proposal

A coalition of organizations—including the ACEOC, the Fort Wayne Urban League, the Fort Wayne NAACP, and several other organizations and individuals—has been organized and is considering the possibility of presenting an alternative plan to the board. (See appendix E for a list of coalition organization members.) At least one coalition member, the Fort Wayne Urban League, has presented detailed alternatives to segments of Grile's proposal. (See appendix F for the Urban League's response.) Reverend Clyde Adams, one of the petition drive leaders, has exhorted various groups to organize: "Any impact this community is going to make—we've got to make it now and we've got to make it together***. No public servant is immune from public pressure***. Once you get an organization that's really organized, you're going to get heard."[32]

Charles Redd, a member of the Indiana Advisory Committee, told Commission staff he would like the board to at least postpone its vote in order to give the coalition time to present its plan. Two related problems, according to Redd, are locating the technical assistance required to draw up a plan and the financial resources to support the work. Even if this meant a 1-year delay in implementation of a desegregation plan, Redd believes the greater payoff would make the wait worthwhile.

Notes to Chapter One

1. U.S., Commission on Civil Rights, *To Ensure Equal Educational Opportunity* (1975), pp. 360 and 386.

2. In January 1975 the board of trustees and the superintendent of the Fort Wayne Community Schools authorized the Office of Educational Services of George Peabody College for Teachers to make a comprehensive study of the school corporation. In its report, *Fort Wayne Community Schools* (1975), the Peabody consultants suggested the 10 percent to 30 percent band as an ideal because it "offers the optimum potential for meaningful minority-majority interaction without precipitous white flight." (p. 246) However, in the five desegregation plans recommended to the school system in the Peabody report, none would bring all the elementary schools within this band because to do so "would require large-scale busing, across distances up to eight miles, and forego most prospects for preserving neighborhood schools for any of the lower grades." (p. 256) In fact none of the plans would bring more than 70 percent of the elementary schools within this band. (p. 277)

The Peabody report noted that as of the 1974–75 school year all junior and senior high schools were within the 10–30 percent band. (p. 277) It should also be noted that as of the fall of 1975 two of the schools fell outside this band, one with a

minority enrollment of 35 percent and one with a minority enrollment of 9 percent. The board has not, however, formally endorsed the recommendations in the Peabody report.

3. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d (1970).

4. U.S., Department of Health, Education, and Welfare, Office for Civil Rights, Summary of Fort Wayne School Desegregation Case, February 1975.

5. Brown v. Weinberger, C.A. No. 75-1068 (D.D.C. Filed July 20, 1976).

6. U.S., Department of Health, Education, and Welfare, Office for Civil Rights, Summary of Fort Wayne School Desegregation Case, February 1977.

7. Kenneth Mines, Director, OCR, Region V, telephone interview, Mar. 10, 1977.

8. Frank Krueger, Office of General Counsel, HEW, telephone interview, Mar. 8, 1977.

9. William L. Taylor, Director, Center for National Policy Review, telephone interview, Mar. 10, 1977.

10. U.S., Department of Health, Education and Welfare, memorandum from Linda A. Cornelius, Specialist-in-Charge, Elementary and Secondary Education Branch, Cleveland, to Frederick T. Cioffi, Nov. 8, 1976. See appendix C for copies of communications regarding OCR's handling of the student assignment issue in Fort Wayne.

11. U.S., Department of Health, Education and Welfare, memorandum from Frederick T. Cioffi to Orrie Barr, Nov. 1, 1976.

12. Alexander Ross, Chief, Education Section, Civil Rights Division, U.S. Department of Justice, telephone interview, Apr. 28, 1977. Daniel L. Jennings, letter to Clark G. Roberts, Apr. 22, 1977.

13. Frank Krueger, Office of General Counsel, HEW, telephone interview, Mar. 8, 1977.

14. Alexander Ross, telephone interview, Mar. 10, 1977.

15. Daniel Jennings, attorney, Civil Rights Division, U.S. Department of Justice, telephone interview, Mar. 22, 1977.

16. Leonard Hamilton, OCR, Cleveland, telephone interview, Apr. 27, 1977.

17. Denise Walderich, Indiana Civil Rights Commission, telephone interview, Mar. 8, 1977.

18. *The JOurnal-Gazette*, Jan. 25, 1977.

19. *The Journal Gazette*, Feb. 4, 1977.

20. Ibid.

21. *The Journal Gazette*, Feb. 8, 1977.

22. *The Journal Gazette*, Feb. 17, 1977.

23. *The Journal Gazette*, Feb. 8, 1977.

24. *The News-Sentinel*, Feb. 11, 1977.

25. *The Journal Gazette*, Feb. 16, 1977.

26. *The News-Sentinel*, Feb. 8, 1977.

27. *The Journal Gazette*, Feb. 15, 1977.

28. *The Journal Gazette*, Feb. 17, 1977.

29. *The Journal Gazette*, Feb. 22, 1977. Rose Gerra, telephone interview, Mar. 11, 1977.

30. *The Journal Gazette*, Feb. 15, 1977.

31. Ibid.

32. Ibid.

Chapter Two

If any major reorganization plan is to be implemented by the fall of 1977, the school board will have to come to a decision within the next few weeks, as Grile indicated in his proposal. Yet there are several controversial issues being debated in the community and, it appears, any decision the board may come to is unlikely to resolve them all. Below is a summary of the major prevailing controversies.

The Coalition

Commission staff met with five members of the coalition that has been organized to protest and seek major revisions in Superintendent Grile's reorganization plan.[1] The basic objections cited earlier in the report were reaffirmed. These objections are, first, that the plan does not go far enough in desegregating the schools and, second, that the plan calls for one-way busing, thus placing a disproportionate share of the burden on the minority community. The coalition also reiterated its objection to the closing of six elementary schools, five of which are in the central city, and the building of a new high school in the predominantly white, northeastern section of the school district. The coalition prepared a formal statement, which was presented to the school board and administration in mid-April.

Superintendent Grile responded that his proposal would significantly reduce racial imbalances while minimizing any disruption that could result. He stated there was a limit to the amount of busing the community would accept. The superintendent also expressed concern that younger students attend schools near their homes. In his opinion, the critical age where reducing racial imbalances begins having maximum payoff is at the sixth or seventh grade. Therefore, Grile maintained, the focus of desegregation efforts in Fort Wayne is at the junior and senior high school levels.

Superintendent Grile acknowledged that most of the students to be transported are minority because most students attending schools to be closed under the plan are minority. The northeast part of the district is selected as the site for the new school primarily, according to Grile, because the population is growing and is expected to keep growing in that area while the population of the central city is expected to decline. If the new high school were to be built in the predominantly black inner city, it would either be a predominantly black high school or, if the racial balance of high school students were to be maintained through two-way busing, many more students would have to be bused. Grile maintained that his reorganization proposal meets the basic considerations that must be taken into account: It is economically feasible, it is educationally sound, and it serves the welfare of the general community.[2]

School board president Helen Lee echoed Grile's concern that there was a limit to the amount of desegregation the community would accept. If the board went too far in reducing racial imbalances, Lee said, more parents would send their children to private schools and eventually the public schools would be attended by predominantly poor and minority students, a situation she did not want to create. Those groups who claim Grile's proposal does not go far enough towards reducing racial imbalances represent one segment of the community, but in any plan to be implemented by the board the concerns of the total community must be taken into consideration, according to Lee.[3]

Teachers Join Protest

In February 1977 leaders of the Fort Wayne Education Association (FWEA) issued a public statement opposing the superintendent's reorganization plan and containing a series of alternative proposals. (The FWEA is the exclusive bargaining agent for public school teachers. Its membership includes 1,400 of the 1,700 teachers.) A subsequent survey of FWEA members revealed strong support of the position taken by the FWEA

leadership.[4] Below are some of the key points of contention and, in parentheses, the percentage of respondents who supported the FWEA's rejection of these positions:

1. closing inner-city elementary schools without providing replacement within the inner city (75 percent);
2. placing the major burden of implementation on the minority community (71 percent);
3. treating and adopting the proposal in its totality (85 percent).

Among the alternative proposals recommended by FWEA leadership and supported by the teachers were the following:

1. including at least 75 percent of the elementary schools in the plan (74 percent);
2. committing time, money, and staff for curriculum improvement and including multiethnic and multicultural approaches in the curriculum (87 percent).

According to Marvin Ross, executive director of the FWEA, the executive board has recommended that the organization join the coalition and he anticipated that it would formally do so within a few weeks.[5] (As indicated in appendix E, the FWEA has joined the coalition.)

Cooperation—A Difference of Opinion

According to Robert S. Walters, attorney for the Fort Wayne Community Schools (FWCS), the administration has made every effort to solicit community input and to be responsive to concerns expressed by various segments of the community.[6] Board president Lee concurred and stated, "Grile has been to many meetings, lunches, etc. and has taken all the information he received into consideration." But, according to representatives of the coalition, the administration has been totally unresponsive.

Marvin Ross said the administration has gone through the motions of receiving input, but its decisions have not reflected that input. He claimed the input of the black community regarding the reorganization plan was not reflected in that plan. Board member Helen Brown also claimed the administration has not been cooperative. While the administration may listen to community input, she maintained, the proposal Grile wants to implement does not reflect the input received from the community. In fact she asserted that not even the school board's input was reflected in the plan.[7]

The Superintendent's Proposal—Reorganization or Resegregation?

The stated policy of the Fort Wayne Community Schools has long been one of support for improved racial balance and school desegregation. In 1969 the school board adopted a resolution that read, in part: "That the Board of School Trustees will search for ways and do what it can to help eliminate racial segregation in the entire school system, including the elementary grades." The July 8, 1974, minutes of the board of school trustees included the following statement:

> This Board passed a motion on November 10, 1969, declaring that it would do what it could to eliminate racial segregation. The problem has not been whether the Board was for desegregation, but how it should implement its concern.

Similar pronouncements have been made in the subsequent years.[8]

But questions have been raised as to whether or not actions on the part of the administration reflect the stated policy. As indicated earlier, one reason OCR dropped the student assignment issue was that the school district had voluntarily desegregated its junior high schools. In 1971, while OCR was conducting its investigation of potential Title VI violations, the FWCS converted Weisser Park and Memorial Park Schools from junior high to elementary schools. As a result, racial imbalances at the junior high school level were reduced. Board president Lee referred to Superintendent Grile as a "genius" who was able to desegregate half the students in 1 year without any major disruption. Racial imbalances in the elementary schools, however, were increased. Weisser Park changed from a 61 percent minority junior high school in 1970–71 to a 76 percent minority elementary school in 1971–72. Memorial Park changed from an 80 percent minority junior high school to an 82 percent minority elementary school. During those 2 years the percentage of minority elementary students enrolled in schools with minority enrollment of 50 percent or larger increased from 67 percent to 73 percent.[9]

Alleged contradictions between the administration's policy statements and its actions have been noted in reference to the current reorganization proposal. Superintendent Grile claimed that under his plan only 1,800 (25 percent) of 7,200 minority elementary students would be enrolled in schools with minority enrollment of 50 percent or more in 1980. This would represent a reduction from 78 percent in 1975 enrolled in such schools. (See table 1.) According to board member Leonard Goldstein, however, the commitment to eliminate racial segregation has been diluted and abused in Grile's proposal.[10] Representatives of the coalition maintained that building a new high school in the northeast section of the district will have a segregative effect. Boyd Bosma, desegregation consultant for the National Education Association (NEA), stated that the plan, "is abhorent in terms of responsibility to the minority community" and that it would contribute towards resegregation of schools in the district.[11]

Latino Concerns

Members of the Educational Council for Latino Affairs expressed to Commission staff primary concern for what they perceived as denial of equal educational opportunities for Spanish-speaking students and employment discrimination against Latinos.[12] The council has formally requested the administration to implement bilingual-bicultural programs and to hire a Latino administrator to deal with Latino problems. The council claims that Spanish-speaking students are frequently placed in special education classes, that they have a higher dropout rate than other groups, and that counselors discourage Spanish-speaking students from pursuing college and encourage them to enroll in vocational education programs. The council also stated that the administration does not pursue Federal or State funds available for bilingual-bicultural programs. In the area of employment, the council charged the FWCS with discrimination against Latino applicants for teaching positions and asserted that the failure to hire a Latino administrator is not due to lack of funds, as it said is the reason given by Grile. (As of 1975, 11, or 0.7 percent, of the 1,507 elementary and secondary teachers were Latinos and no Latino administrators were employed.)[13]

The superintendent responded that there is an extensive program operating within the district that answers most of the special needs of the Spanish-speaking students. Applications for additional Federal funds have been denied because of the low number of Spanish-speaking students in the district, according to Grile. As of 1975 Latinos accounted for 622 (1.5 percent) of the 40,250 students in the district.[14] While acknowledging that Spanish-speaking students frequently have problems not faced by most students, Grile maintained the major source of the problems is that the Latinos are relative newcomers to Fort Wayne, and they do not have sufficient role models established in the community to follow. In addition, he said there is a power struggle within the Latino community and the schools are being used as a battleground by the various segments of that community. Grile admitted that the dropout rate for Latino students may be somewhat higher than that of other groups, but he denied that they are tracked into special education or vocational education programs and away from academic programs. He stated that a lack of resources is one reason why a Latino administrator to handle Latino problems has not been hired and that this was not a high enough priority problem to justify replacing existing positions with the special Latino administrator.

What Is to be Done?

The consensus on the part of the community groups interviewed by Commission staff was that HEW or some other outside source would have to bring pressure on the FWCS to deal with the problems raised by each group. According to Bosma, "the only effective check is OCR investigation and enforcement." The Educational Council for Latino Affairs claimed the administration will not deal with its grievances unless "threatened by HEW." Board member Helen Brown said the school administration will never bring about desegregation unless HEW or someone from the outside brings pressure on the FWCS. She recommended that the Commission ask HEW to investigate the situation in Fort Wayne.

OCR may have settled its formal charges, the Justice Department may have decided not to pursue its investigation, the Indiana Civil Rights Commission may never complete its negotiations with

the schools, and the school board may not reach agreement on a reorganization proposal this year; but the issues of school desegregation and the quality and equality of educational opportunities available to minorities and women are very much alive in Fort Wayne.

Notes to Chapter Two

1. Interview in Fort Wayne, Ind., Apr. 6, 1977. The five coalition members interviewed were: Gayle Greer, Executive Director, Fort Wayne Urban League; Karen Duemling, League of Women Voters; Gay Schmidt, Fort Wayne Urban League; Dixie Arter, Inter-Religion Action Council; and Joyce Dunlap, YWCA Urban Affairs Committee. (Subsequent references to representatives of the coalition are based on this interview.)

2. Lester Grile, Superintendent of FWCS, telephone interview, Apr. 11, 1977. (Subsequent references to Lester Grile are based on this interview.)

3. Helen Lee, President of School Board, FWCS, telephone interview, Apr. 13, 1977. (Subsequent references to Helen Lee are based on this interview.)

4. "Results of Referendum Vote: Desegregation Statement of the Fort Wayne Education Association," Feb. 9, 1977, Fort Wayne Education Association, news release, Apr. 1, 1977.

5. Marvin Ross, Executive Director, FWEA, interview in Fort Wayne, Ind., Apr. 6, 1977. (Subsequent references to Marvin Ross are based on this interview.)

6. Robert Walters, attorney for FWCS, telephone interview, Apr. 8, 1977.

7. Helen Brown, Board Member of FWCS, interview in Fort Wayne, Ind., Apr. 6, 1977. (Subsequent references to Helen Brown are based on this interview.)

8. *Special Report*, from Superintendent Lester Grile to the Board of School Trustees, Fort Wayne Community Schools, Oct. 25, 1976.

9. Fort Wayne Community Schools Enrollment Data, 1970–71 and 1971–72.

10. *The Journal Gazette*, Feb. 11, 1977.

11. Boyd Bosma, desegregation consultant, NEA, telephone interview, Apr. 7, 1977.

12. Interview in Fort Wayne, Ind., Apr. 6, 1977. The five council members interviewed were: John Rivera, United Mexican-Americans Organization, Inc.; Nora Alicia Trevino, Mayor's Office; Rosa Gerra, CETA; Marcilino Espinosa, Department for Spanish Speaking People, Diocese of Fort Wayne; and Paul Mendez, former Title I Liaison.

13. *Elementary-Secondary Staff Information* (*EEO-5*), Oct. 1, 1975.

14. Fort Wayne Community Schools Enrollment Data, 1975–1976.

Chapter Three

Findings and Recommendations

The basic findings of this report are:

(1) While some progress has been made in reducing the racial imbalances in student and teacher assignments in the Fort Wayne Community Schools, much remains to be done.

(2) Federal officials, particularly OCR, have not fully utilized authority granted to them under law to assure that equal opportunity is provided in the Fort Wayne Community Schools.

(3) Events in the next few weeks will be critical in determining, in the words of the superintendent, "a direction for the Fort Wayne Community Schools which has implications for the next twenty years."

The major specific findings are as follows:

Racial Imbalance in Student Assignments

1. Racially identifiable junior and senior high schools have been eliminated. As of 1975 all schools at this level had minority enrollments between 9 percent and 35 percent of total enrollments.

2. As of the fall of 1975, 72 percent of the elementary schools were identifiable by race (72 percent had minority enrollments of less than 5 percent or more than 50 percent) compared to 66 percent in 1970. And in 1975, 78 percent of minority elementary students were enrolled in schools with minority enrollments greater than 50 percent. This is an increase from 67 percent of minority students enrolled in such schools in 1970.

Involvement of Federal Officials

3. In its 1969 and 1971 onsite reviews, OCR found potential Title VI violations in the student and teacher assignments and other areas in the Fort Wayne Community Schools, but decided in 1975 to drop the student assignment issue. Fort Wayne is one of several cases where potential Title VI violations were dropped reportedly due to insufficient evidence, but where all decisions were made verbally and no written record justifying such decisions was kept.

4. Informed individuals at OCR and the Center for National Policy Review, a private research and litigation organization, who reviewed the pertinent data, believe there is sufficient evidence to support a charge of Title VI violations on the basis of student assignment, and they are considering asking that the case be reopened.

5. In July 1976, U.S. District Court Judge John J. Sirica ordered HEW to initiate enforcement proceedings or to make an administrative determination of compliance in Fort Wayne and in several other school districts.

6. OCR pursued the teacher assignment issue in Fort Wayne and in September 1976 approved a plan submitted by the school district. However, OCR did not receive the followup information regarding the experience and education of teachers in the school system that it had requested in its letter approving the teacher reassignment plan until mid-April 1977. Preliminary analysis by Commission staff appears to indicate that the teacher desegregation plan has been only partially implemented.

7. The Civil Rights Division of the Department of Justice received several complaints of discrimination in the Fort Wayne schools from parents of minority students and is currently reviewing the student assignment issue. As of March 1977, no determination had been made as to whether or not the Department will act in the Fort Wayne Community Schools case.

8. At least two Federal agencies and one State agency having civil rights enforcement authority have conducted investigations of the Fort Wayne Community Schools. There has been little or no State-Federal coordination of these efforts. As a result, interrelated, systemwide problems of recruitment, hiring, teacher and student assignment, programs, services, and cur-

ricular materials are being addressed by enforcement agencies in a fragmentary fashion.

Current School Desegregation Issues in Fort Wayne

9. The Indiana Civil Rights Commission is attempting to negotiate a settlement with Fort Wayne to resolve 15 charges of discrimination in employment and in the educational program that the commission brought against the school district in May 1974.

10. The superintendent has proposed a reorganization plan, which includes proposals for reducing racial imbalances. The plan is unacceptable to many individuals (including some board members) and organizations in the community, primarily because it does not go far enough in desegregating the schools and it places the burden of desegregation on the minority community.

11. A coalition of local white and minority organizations that has publicly opposed the superintendent's proposal is seeking major revisions in the plan.

A variety of issues, involving several individuals, community organizations, and public agencies, have been raised in this investigation. Given the timeliness of this report our recommendations include, first, a series of immediate actions that can be taken during the next few weeks, and second, procedural proposals regarding the Federal civil rights enforcement effort in the area of education, based on the experience in the Fort Wayne case.

Recommendations for Immediate Actions:

1. The Indiana Advisory Committee to the U.S. Commission on Civil Rights recommends to the superintendent and board members that the Fort Wayne Community Schools develop a new reorganization plan. In doing so the school administration should work with the Fort Wayne community, including parents of black and Hispanic students, teachers, and representatives of major women's and minority organizations.

Such a plan should be educationally sound; it should allow for systemwide desegregation; it should address the issues raised in the Indiana Civil Rights Commission complaint; and it should be responsive to the major disagreements surrounding the current reorganization proposal.

2. The Advisory Committee recommends that the U.S. Commission on Civil Rights formally request that OCR reopen and that the Department of Justice more actively pursue their investigations of the student assignment issue in the Fort Wayne schools. OCR should also monitor more closely the district's implementation of faculty desegregation.

These agencies should be asked to update their files, to reexamine all relevant information, and to reconsider all previous decisions on this issue. The Commission should recommend that these agencies give equal consideration to community input, particularly that from representatives of the various protected groups, and to data provided by the Fort Wayne Community Schools. If violations of Federal law are found to exist, these agencies should review any proposed reorganization plan for the Fort Wayne schools. If the proposed plan does not remedy the Federal violations, enforcement proceedings should be initiated.

Recommendations for Procedural Changes in the Civil Rights Enforcement Effort

3. The Advisory Committee recommends that the Commission's Office of Federal Civil Rights Evaluation conduct periodic reviews and publish reports of specific OCR and Department of Justice investigations, focusing on those cases where potential Title VI violations are found or action under Title IV appears warranted based on onsite reviews. The first such review should begin within 60 to 90 days and should cover OCR procedures utilized in settling the cases involved in the 1976 case of *Brown v. Weinberger* and procedures utilized by the Department of Justice in its current investigation of the Fort Wayne schools.

Among the issues that should be examined are: the criteria employed in determining whether or not evidence supports the finding of a violation; whether and how official agency records of decisions are maintained; how these agencies attempt to bring about voluntary compliance; and how they monitor settlements reached with noncomplying districts.

4. The Advisory Committee recommends that the Commission request:

a. The Departments of Health, Education, and Welfare and Justice to develop revised investigatory and enforcement procedures in the area of equal educational opportunity that would enable:

1. referral of specific cases from Federal to State civil rights enforcement agencies, and vice versa, where appropriate;
2. State-Federal coordination of such efforts where appropriate;
3. Joint State-Federal investigatory, enforcement, and followup efforts in such cases where appropriate; and
4. Any additional changes and reorganization necessary to achieve more efficient and timely Federal enforcement actions in these matters.

b. Where such changes are not possible under current Federal law, that the appropriate committees of the Congress consider any statutory revisions necessary to achieve more efficient and timely equal educational opportunity enforcement through State-Federal cooperation as proposed above.

Appendix A

Communications Between HEW and Fort Wayne Community Schools Regarding Title VI Violation Due to Teacher Assignment:

- HEW Letter Notifying School District of its Noncompliance
- Fort Wayne Teacher Assignment Plan
- HEW Approval of Plan and Request for Followup Information
- Followup Information Provided by Fort Wayne

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

November 17, 1975

Mr. Lester L. Grile
Superintendent of Schools
Fort Wayne Community Schools
1230 S. Clinton
Fort Wayne, Indiana 46802

Dear Mr. Grile:

The Office for Civil Rights has the responsibility to enforce Title VI of the Civil Rights Act of 1964, and its implementing Regulation (45 CFR Part 80), which prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance. Pursuant to such enforcement responsibility; this Office conducted a review of the Fort Wayne Community Schools in April 1969, and visited the District in January and April of 1971 and in February 1975. In addition, the Office has reviewed the data supplied by the Fort Wayne Community Schools on the Elementary and Secondary School Civil Rights Survey Forms (OS/CR 101-102) and Elementary-Secondary Staff Information Forms (EEO-5). Based upon our analysis of this information, I have determined that the Fort Wayne Community Schools are not in compliance with Title VI of the Civil Rights Act of 1964 by virtue of racially motivated policies and practices with respect to faculty assignment.

No black teacher was hired by the Fort Wayne Community Schools until 1952, when one was employed. During the 10 year period, 1952-61, a total of 16 were hired. Of these 16 teachers, 15 taught in elementary schools with over 50% minority student populations. The first black teacher in a high school was hired and assigned in 1954. However, the second was not hired and assigned until 1964. The first black teacher in a junior high was hired in 1963. Between 1962 and 1968, the Fort Wayne Community Schools hired 74 black teachers, which was 4.4% of the total number of teachers hired during this period.

In the 1967-68 school year the Fort Wayne Community Schools employed 69 minority teachers out of a total of 1,670 teachers (4.1%). At that

OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE
		11/14/75						
OCR	O. Baer	11/21/75						
OGC		11/14						

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time 38, or 55.1% of the 69 minority teachers taught in 4 elementary schools (Hanna, Harmar, McCulloch and Smart) each of which had over 50% black student enrollment. At the same time, ninety or 5.6% of the system's white faculty were assigned to these schools. (These 4 schools had 7.67% of the system's faculty.) During this time the minority student enrollment in Fort Wayne was 11.5% of the total school population. In 1967 there were 43 schools in the system with less than 10% minority student populations. Only 24 minority teachers were assigned to schools with less than 10% minority student populations. No minority teachers were assigned to 31 of these schools. The Fall 1968 (HEW Directory of Selected Public Elementary and Secondary Schools) statistics show 44, or 66.7% of 66 black teachers taught in the 7 schools (of the total 56 schools) which had over 50% black student enrollment.

During the period between 1968 and 1974 the number of minority teachers in predominantly minority schools decreased. However, the Fall 1974 forms OS/CR 101-102 show that nine of the Fort Wayne Community Schools' 61 schools have over 50% black student population and 35, or 32.7% of the 107 minority teachers, are assigned to these nine schools. At the same time 23 schools with less than 10% minority student populations have only 8 minority teachers assigned to them, 19 of these schools had no minority teachers assigned to them, and a total of 23 schools had no minority teachers.

The Fort Wayne Community Schools employ 6 minority principals. Five of these six are elementary school principals and they are all assigned to schools with over 81% minority student enrollments.

The District's foregoing practice of assigning minority group faculty to schools attended predominantly by minority group students has caused or increased the racial identifiability of 34 of Fort Wayne's schools as intended primarily for children of one race.

Based on the above information, the Office for Civil Rights has determined that the Fort Wayne School System is assigning faculty in a discriminatory manner in violation of Title VI of the Civil Rights Act of 1964 and the Department Regulation, 45 CFR 80. Accordingly, it is therefore necessary that the District prepare a specific plan for faculty desegregation and submit this plan to the Office for Civil Rights within 45 days after receipt of this letter.

In order to establish compliance with Title VI by submitting a faculty desegregation plan, such plan must provide for the reassignment of faculty so that the ratio of minority group teachers in each school is substantially the same as the ratio throughout the District. This remedy

was set forth by the Federal Court in the case of Singleton v. Jackson Municipal Separate School District, 419 F. 2d 1211 (5th Cir. 1967): cert. denied, 369 U.S. 1032 (1970), and it is the standard used by this Department in evaluating plans for remedying faculty assignment violations under Title VI.

In the event that efforts at voluntary compliance prove unsuccessful within 90 days, I will have no alternative but to refer your District's file to the Department's Office of General Counsel with a recommendation to initiate administrative enforcement proceedings.

This letter is not intended, and it should not be so construed, to cover any other issues regarding compliance with Title VI which may exist and which are not specifically discussed herein.

Our staff is ready to extend assistance to your school system in its effort to comply with Title VI of the Civil Rights Act of 1964. If you have any questions contact Mr. O.O. Barr of my staff. He can be reached at Room 222, 55 Erieview Plaza, Plaza Nine Building, Cleveland, Ohio, 44114. The telephone number is 216/522-4970.

Sincerely,

(Sgd) Kenneth A. Mings

Director, Office for
Civil Rights, Region V

cc: The Honorable Harold Negley
Supt. of Public Instruction
State Department of Public Instruction

LMHamilton:pae

bcc:
Dr. Lloyd Henderson

Mary Jane Calais

Al Hamlin, OGC

O.O. Barr, Specialist-in-Charge

MENTOR KRAUS
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N. THOMAS HORTON II
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JAMES M. BARRETT 1929
PHIL M. MCNAGNY 1969
OTTO E. GRANT, JR. 1969

TELEPHONE 423-9551
AREA CODE 219

JAMES M. BARRETT, JR.
OF COUNSEL

March 22, 1976

Mr. Frank Krueger
Office of the Attorney General
Civil Rights Division
Room 3265
HEW - North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Re: Fort Wayne Community Schools

Dear Mr. Krueger:

Pursuant to its resolve to bring the racial balance of its faculty into the range of HEW guidelines by the fall semester of 1976, the Fort Wayne Community Schools will in fact be implementing a plan to reassign both black and white teachers in its elementary schools in such a manner as will bring each of the schools within the District within a plus or minus five percent of the average percentage of black teachers within the elementary school system as a whole. Currently, approximately eight percent of the faculty is black in the elementary system as a whole.

We have taken the total 1975-76 Staff (which, inclusive of special education personnel, totals 688), we have taken the total 1975-76 black teachers per school, and we have compared the resulting percentage of black teachers to each school's faculty as a whole with the acceptable HEW range. Based upon this analysis, we have made a determination of the number of black faculty members in each school and the number of white faculty members in each school that will have to be transferred or exchanged in order to bring the ratios and percentages into HEW conformity.

Although there are some tentative figures available at the present time for the approximate number of total faculty in each school beginning in September, 1976, there will be

adjustments made in this number as and when actual enrollments are known and teacher-pupil ratios finalized for the fall. Accordingly, we will use the 1975-76 Staff figures for purposes of this letter and of the proposed reassignments contemplated hereby.

Below you will find listed each elementary school within the District, together with the total staff in each school, the 1975-76 number of black teachers per school, and the 1976-77 recommendations for black teachers per school after completion of the reassignment program. The total Staff figures will be high by the number of special education teachers, which I estimate at 60 within the elementary system, but the ratios for classroom teachers would be maintained, nonetheless.

School	Total Staff (1975-76)	Black Teachers per School (1975-76)	Black Teac per School (1976-77) (recommend
Abbett	18	1	1
Adams	12	1	1
Anthony Wayne	11	0	1
Arlington	17	1	1
Bloomingdale	17	1	1
Brentwood	15	0	1
Bunche	14	5	2
Croninger	24	0	1
Forest Park	24	0	1
Franke Park	16	0	1
Glenwood Park	20	0	1
Haley	25	3	2
Hanna	10	3	2
Harmer	12	3	2
Harris	24	0	1
Harrison Hill	30	1	2
Hillcrest	8	0	0
Hoagland	19	2	2
Holland	21	0	1
Indian Village	16	0	1
Irwin	15	0	1
Lincoln	14	1	1
Lindley	11	1	1
McCulloch	10	6	2

Maplewood	20	0	1
Memorial Park	23	5	3
Nebraska	12	1	1
Northcrest	17	0	1
Pleasant Center	8	0	0
Price	20	1	1
Riverside	9	0	0
St. Joseph Central	21	0	1
Shambaugh	24	0	2
Slocum	13	1	1
South Calhoun	14	0	1
South Wayne	23	0	1
Southern Heights	13	0	1
Study	10	2	2
Ward	16	2	2
Washington	12	2	2
Washington Center	22	0	1
Waynedale	18	0	1
Weisser Park	31	12	4
Young	19	3	2
Total	688	58	58

Three (3) elementary schools would have no full-time black teachers on the staff, but through the placement of special teachers in art, music, and physical education, these schools would have the services of black teachers on a part-time basis until further placement activities result in the placement of black faculty in those schools.

The entire reassignment process has already been commenced, in that principals have been alerted and preparations begun for the administrative implementation of the actual faculty transfers. Specifically, it would appear that approximately 21 black teachers will have to be reassigned in order to effectuate the proper racial balance among faculty. It is anticipated that vacancies would be created in the receiving schools, through leaves of absence, retirement, pregnancy, or the like, so that faculty assignments out from the receiving schools would not be necessary. Such assignments out, however, would be made in the event that vacancies are not otherwise created in the receiving schools. In summary, the black teachers in schools from which reassignments must be made would include three at Bunche, one at Haley, one at Hanna, one at Harmer, four at McCulloch, two at Memorial Park, eight at Weisser Park, and one at Young. These twenty-one black teachers would be

reassigned to the following schools and in the following numbers:

School	Number of Black Teachers to Assign
Anthony Wayne	1
Brentwood	1
Croninger	1
Forest Park	1
Franke Park	1
Glenwood Park	1
Harris	1
Harrison Hill	1
Hillcrest	
Holland	1
Indian Village	1
Irwin	1
Maplewood	1
Northcrest	1
Pleasant Center	
Riverside	
St. Joseph Central	1
Shambaugh	2
South Calhoun	1
South Wayne	1
Southern Heights	1
Washington Center	1
Waynedale	1

I trust that the foregoing information gives you what you need at this juncture to demonstrate that Fort Wayne Community Schools is moving toward implementation of this plan. These reassignments will be in place and will be implemented by the commencement of school in the fall of 1976.

I expect to forward to your attention, shortly, the ancillary administrative policies that will set down guidelines on the matter of actual transfer mechanisms and considerations.

I am enclosing, per your request, with copies to Messrs. Barr and Mines, copies of the current EEO5's, which may help you in your review. If you have any specific questions on numbers or on assumptions, please feel free to call.

Very truly yours,

BARRETT, BARRETT & McNAGNY

Robert S. Walters

RSW:ml
cc: Mr. Lester L. Grile
Mr. O. O. Barr
Mr. Kenneth A. Mines

MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY

JUL 2 1976

O :Lloyd Henderson
Director
Elementary and Secondary
Division
Civil Rights Division

ROM :Frank K. Krueger, Jr.
Attorney, Office of the General
Counsel
Civil Rights Division

UBJECT :Fort Wayne Community Schools

Attached hereto is a letter which I have received from the Superintendent of schools in Fort Wayne covering the ancilliary administrative matters which we discussed with Fort Wayne's attorney, Robert S. Walters, by telephone on June 21, 1976.

Although I believe the letter covers all of the remaining items necessary to bring Fort Wayne's faculty assignment practices into compliance with Title VI, I suggest that the letter and the attached Master Contract between the school board and the teachears union be forwarded to the Regional Office in Cleveland for their analysis and recommendation.

FORT WAYNE COMMUNITY SCHOOLS
1230 SOUTH CLINTON STREET • FORT WAYNE, INDIANA 46802
PHONE 219/422-3575

FORT WAYNE BICENTENNIAL

June 22, 1976

Mr. Frank Krueger
Office of the Attorney General
Civil Rights Division
Room 3265
HEW - North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

OFFICE OF THE GENERAL COUNSEL
CIVIL RIGHTS DIVISION
RECEIVED
JUN 25 1976
AM J-339 PM
7 8 9 10 11 12 1 2 3 4 5 6

Re: Fort Wayne Community Schools

Dear Mr. Krueger:

Please be advised that in implementing the provisions of the faculty re-assignment plan, described to you by written communication dated March 22, 1976 from our attorney, Robert S. Walters, the Fort Wayne Community Schools has followed the policies, rules, and guidelines described in the Master Contract between the Board of School Trustees of the Fort Wayne Community Schools and the Fort Wayne Education Association, Inc. (1975-1976), and, most particularly, the provisions of Article IX thereof (a copy of which is attached for your reference). As further clarification, however, and to assure you that both the voluntary and involuntary transfers made necessary by our re-assignment plan have not resulted in a lessening in the qualify of instruction in any affected school, nor in the dismissal, demotion, or loss of seniority on the part of any of the affected teachers, I am pleased to advise you that none of the teachers who have been transferred thus far, and none of the teachers who will be transferred pursuant to the plan hereafter, have been or will be re-assigned to a teaching position for which that individual teacher is not qualified; nor have any such re-assignments been accompanied by any professional demotion or loss of salary.

Consistent with the provisions of Article IX Master Contract, an admixture of experienced and inexperienced teachers in each school has been maintained, as has the unit and building balances of teachers with post-graduate degrees and

various kinds of teaching skills. As you are no doubt aware, the Fort Wayne Community Schools has a large percentage of teachers with advanced degrees, inasmuch as the State of Indiana requires a Master's Degree after the teacher has taught for five years. All of these things considered, therefore, it is our opinion, and it is our goal, that equal educational opportunities have been and will continue to be maintained within each of our schools on the basis both of facilities and of the skill, experience, educational attainment, and general qualifications of its teachers. There has never been, nor will there be, any tendency within the Fort Wayne Community Schools system to concentrate less-qualified teachers in any one or more particular schools, let alone in minority group schools.

With regard to future recruitment, hiring, and placement of teachers within the System, you should be advised, of course, that the Fort Wayne Community Schools has consistently maintained nondiscriminatory policies. Your office has requested further assurances, however, and we do so willingly, knowing that these assurances do not represent any deviation from the recruitment, hiring, and assignment practices which we have followed in the past. In essence, then, our recruitment, hiring, and assignment practices are and will continue to be nondiscriminatory with regard to race, religion, ethnicity, or sex and will be based upon the skill, ability, scholastic performance, personality, and attitude of each and every interviewee, applicant, or employee, in over-all relation to the teaching needs of each particular school or unit within our System. We are committed to a policy of not limiting the employment opportunities of any particular group of applicants, although we are striving to make known to various minority groups the range of employment opportunities available within our System, as and when they arise.

In effecting the faculty re-assignments, the Fort Wayne Community Schools wishes to make it abundantly clear that these re-assignments have been made in compliance with your Office's demands, without in any way constituting an acknowledgment on our part that our recruitment, hiring, and assignment practices in the past have been anything but lawful. We are committed to redressing the racial identifiability of our faculties, however, pursuant to your request; although, as we have discussed with you on a number of occasions, we will continue to make our recruitment, hiring, and faculty assignment decisions based upon completely nondiscriminatory criteria,

even though this may result in future deviations from the target faculty balance percentages which you have outlined to us.

Our office will continue to monitor, annually, the proportionality and balance of the teaching staffs within all of our schools, in relation to our stated policies herein of conducting our recruitment, hiring, and assignment practices on a completely nondiscriminatory basis. Should we perceive any patterns of imbalance developing in any particular school, schools, or units within our system, we will promptly determine whether any such imbalance has resulted from any application of prohibited standards or criteria anywhere within our System, or whether such patterns, if any, have developed by coincidence. In the event of the former conclusion, we will be prepared to take steps to correct any such imbalance as and when they occur and to render any repetition of the problem unlikely.

Please let us know if this statement of policy meets with your approval, and, if so, we will consider this statement of policy as an addendum to and part of our faculty re-assignment plans submitted to you on March 22, 1976.

We will await the favor of your response and are hopeful that any questions which your Office has had in the past will now be laid to rest. It should be of interest to you that most of the proposed re-assignments, as set forth in the March 22 instrument, have been effectuated and all necessary re-assignments are anticipated to be in place well prior to the commencement of school in September of 1976.

Very truly yours,

FORT WAYNE COMMUNITY SCHOOLS

Lester L. Grile

Lester L. Grile
Superintendent of Schools

LLG:jb
CC: Mr. Walters
Each Board Member
Dr. Young
Dr. Anthis
Dr. Cowan

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20201

SEP 23 1976

Mr. Lester Grile
Superintendent
Fort Wayne Community Schools
1230 South Clinton
Fort Wayne, Indiana 46802

Dear Superintendent Grile:

This letter is in response to your letter of June 22, 1976, addressed to Frank Krueger in our General Counsel's Office, and to the letter of March 22, 1976, from Mr. Robert S. Walters, attorney for the Fort Wayne Community Schools, also addressed to Frank Krueger.

With respect to the projected faculty assignments outlined in the letter of March 22, 1976, for the 1976-77 school year, I am pleased to advise you that such assignments, if implemented, are consistent with the requirements of Title VI of the Civil Rights Act of 1964.

Regarding the ancillary commitments contained in your June 22, 1976 letter, it is my understanding that the Fort Wayne Community Schools has agreed that during the desegregation process:

(1) no teacher will be assigned to a position for which he or she is not qualified; and

(2) no reassignment of any certificated staff member will result in demotion or loss of salary.

In addition, during the desegregation process, as well as after, the district has agreed that:

(1) faculty will be assigned so that at each school there will be a substantially equal admixture of teachers according to experience, teaching skills, and post-graduate degrees;

(2) the district will maintain nondiscriminatory recruitment, hiring and assignment practices; and

(3) the district, in the future, will monitor the racial ratio of teachers at each school in the system so that if any unlawful racial imbalance occurs as a result of the district's assigning teachers based on their race, color, or national origin, the Fort Wayne Community Schools will take immediate action to remedy this Title VI violation.

If my understanding of the ancillary commitments made by the school district is correct, then the reassignment of teachers, in conjunction with these commitments, constitutes a desegregation plan which meets the requirements of Title VI in the area of faculty assignment. I will assume that my understanding is correct unless I hear from you to the contrary within 15 days from the date of this letter. Since the teacher assignments outlined in Mr. Walters' letter of March 22, 1976, were projections only, please provide me by October 15, 1976, with a revised list of teacher assignments for 1976-77 as they became finalized at the opening of school. The list should include a breakdown of teachers assigned to each school according to race, educational degrees, certificates and experience.

If I can be of any additional assistance to you in this or any other matter, please feel free to contact me.

Sincerely yours,

(Signed) Lloyd R. Henderson

Lloyd R. Henderson, Director
Elementary and Secondary Education Division
Office for Civil Rights

cc: Director, Office for Civil Rights,
Region V
Chief State School Officer
Attorney, Fort Wayne Community Schools

FORT WAYNE COMMUNITY SCHOOLS
[illegible] SOUTH CLINTON STREET [illegible] FORT WAYNE, INDIANA 46801
[illegible]

September 30, 1976

Howe
AH

Mr. Lloyd R. Henderson, Director
Elementary and Secondary Education Division
Office for Civil Rights
Department of Health, Education, and Welfare
Washington, D.C. 20201

Dear Mr. Henderson:

In your letter of September 23, 1976, you requested a report on the finalized staffing for the 1976-1977 school year.

We are enclosing a listing of our elementary schools and the final teacher assignments as of September 28, 1976. In addition we are supplying a listing of the minority teachers who were transferred, the name of the school in which the teacher taught last year, the name of the school to which the teacher transferred, the highest degree of record held by the teacher, the total number of years of teaching, and the number of years taught in the Fort Wayne Community Schools.

We were pleased with the cooperation of all of our personnel in making these changes and in our opinion satisfactory adjustments have been made.

Thank you for your help and cooperation in this matter.

Very truly yours,

Lester L. Grile

Lester L. Grile
Superintendent of Schools

LLG:jb
Encs.
CC: Personnel
Superintendent's File

STAFFING ASSIGNMENTS - ELEMENTARY - FOR 1976-77 SCHOOL YEAR

School	Total 1976-77 Staff (inc. Spec. Education)	1976-77 Black Teachers Per School	
Abbett	18.5	1	
Adams	12	1	
Anthony Wayne	11	1	
Arlington	19	1	
Bloomingdale	17	1	
Brentwood	16	1	
Bunche	14	2	
Croninger	24	2	
Forest Park	24.5	2	
Franke Park	16	1	
Glenwood Park	19	1	
Haley	28.5	2	
Hanna	10.5	2	
Harmar	12.5	2	
Harris	23.5	1	
Harrison Hill	28.5	1	
Hillcrest	8	0	1/
Hoagland	18	1	
Holland	21.5	2	2/
Indian Village	16	1	
Irwin	15	1	
Lincoln	12.5	1	
Lindley	11	1	
McCulloch	10	3	
Maplewood	21	1	
Memorial Park	21	4	
Nebraska	12	1	
Northcrest	16.5	1	
Pleasant Center	9	0	3/
Price	20	1	
Riverside	9	1	
St. Joseph Central	23	1	
Shambaugh	24	2	
Slocum	12	1	
South Calhoun	13.5	1	
South Wayne	22	1	
Southern Heights	14	1	
Study	10	1	
Ward	16	2	
Washington	12	2	
Washington Center	22	1	
Waynedale	18.5	1	
Weisser Park	30	4	
Young	18	2	
	750 F.T.E.	61	

1/ Black Art teacher and black P.E. teacher assigned Hillcrest.
2/ Black teacher on Leave of Absence (Maternity)
3/ Black P.E. teacher assigned to Pleasant Center

FORT WAYNE COMMUNITY SCHOOLS
Fort Wayne, Indiana

TRANSFER OF BLACK TEACHERS
FOR 1976-77 SCHOOL YEAR

NAME	FROM:	TO:	DEGREE	CERTIF.	YEARS EXP.	WITH FWCS
DELETED	Weisser Park, 5th/6th	Shambaugh, 5th	B.S.	Elem Prov K-8	2	2
	Weisser Park, 5th/6th	So.Calhoun, 5th/6th	M.A.	Elem Prov	4	4
	Nebraska, 3rd/4th	So. Wayne, 5th	M.A.	Elem Prof K-8	9½	9½
	McCulloch, 3rd	Glenwood Pk, 2nd	B.S.	Elem 1st 1-8	38	6
	Mem. Park, 5th/6th	Croninger, 2nd	M.S.	Elem 1st Sec.-Voc Home Ec	22	1
	Weisser Park, 5th/6th	Northcrest, 1st	B.S.	Elem Prov K-8	2	2
	Bunche, 4th	Harris, 3rd	B.S.	Elem Prov K-8	3	3
	Harmar, 3rd/4th	Wash. Center, 6th	B.S.	Elem Prov K-8	1½	1½
	Bunche, 4th	St.Joe Centr. 3rd	B.S.	Elem Prov K-6	3½	3½
	Weisser Park, 5th/6th	Anth. Wayne, 3rd/4th	M.S.	Elem Prov K-6	8	3
	McCulloch, 3rd	Irwin, 4th	M.S.	Elem Prof K-8	10½	10
	Bunche, 1st	Forest Park, 3rd	M.S.	Elem Prof K-8	6	6
	Hanna, 1st	Harr. Hill, Kgn, F.T.	M.S.	Elem Prof K-6	13½	10
	Weisser Park, 5th/6th	Shambaugh, Kgn, F.T.	M.S.	Elem Prov K-6	3½	3½

TRANSFER - BLACK TEACHERS - FOR 1976-77 SCHOOL YEAR

MB	FROM:	TO:	DEGREE	CERTIF.	YEARS EXP.	WITH FWCS
DELETED	Weisser Park, 5th/6th	Brentwood, 4th/5th	B.S.	Elem Prov K-8	9½	2
	Young, 1st	Waynedale, 1st	B.S.	Elem Prov K-8	1	1
	McCulloch, 4th	So. Heights, 6th	M.S.	Elem Prof K-8	12½	12½
	Weisser Park, 5th/6th	Maplewood, Kgn, F.T.	B.S.	Elem Prov K-8	1½	1½

Appendix B

Summary of Center for National Policy Review's Assessment of Fort Wayne Community School Situation

Facsimile

Center for National Policy Review
William L. Taylor, Director
September 11, 1976

FORT WAYNE, INDIANA SUMMARY SHEET

STATUS: HEW is dealing only with the faculty assignment issue. Cioffi says that the junior and senior highs have been desegregated. No letter of non-compliance sent tc Fort Wayne in the student assignment area.

DEGREE OF SEGREGATION: Total district percentage of minority students: 17.09%. Out of 41 elementary schools, 11 have 45% or more minority enrollment, 25 have 10% or less minority enrollment, and 5 have a minority enrollment between 10.1% and 25.1%.

SUMMARY OF NATURE OF EVIDENCE: There is evidence detailing the school board's segregative intent. This evidence includes discriminatory building practices which have contributed to the Hanna school being 93.9% minority. There is also the fact that the grade structure is dual. The minority schools are on a 1–4 basis while the non-minority elementary schools are 1–6. There is contrary evidence in the file which states that many of the boundary changes were not racially motivated. However, I think there is enough in the file to refute HEW's position that there is not enough evidence of segregative intent.

Appendix C

Communications Regarding OCR's Handling of the Student Assignment Issue in the Fort Wayne Community Schools

MEMORANDUM DEPARTMENT OF HEAL..H, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY

TO : Mr. Orrie Barr
Education Branch Chief/Region V

DATE: NOV 1 1976

FROM : Frederick T. Cioffi
Chief, Operations Branch

SUBJECT: Review of Brown Files

During the last four months you have been periodically requested to assemble and ship several files to my office in Washington in order that they might be examined by representatives of the National Center for Policy Review pursuant to the Freedom of Information Act.

As a result of their review of said files, a question has arisen. It appears that in a number of reviews the issue of student assignment was pursued or appears to have been pursued, yet the letter of findings which was sent to the LEA was silent on the issue. In their review of the file the National Center representatives were unable to observe documents which would explain why the student assignment issues were dropped.

Accordingly it is requested that you make a quick review of the following files to determine whether documents exist therein which would answer the question as to why the student assignment issue was dropped.

1. South Bend, Indiana (File returned 10/27/76)
2. Fort Wayne, Indiana (If you have the file)

My recollection is that the files may be silent, since most of these cases were presented verbally in Cleveland and/or San Francisco and the decision to drop the issue was due to lack of sufficient evidence. Everything was verbal at these conferences.

However, please call me with the results of your review by November 4, 1976.

DEPART...ENT OF HEALTH, EDUCATION,...ND WELFARE

Frederick T. Cioffi
Chief, Operations Branch

November 8, 1976

Specialist-in-Charge
Elementary and Secondary Education Branch (Cleveland)

Review of Brown Files

As you requested in your memorandum of November 1, 1974, I have reviewed the South Bend, Indiana, and Fort Wayne, Indiana files and have determined that no documents exist therein which explain why the student assignment issue was dropped. It is my understanding that the decision to drop this issue was made at the Cleveland Case Conference in August, 1975.

Linda A. Cornelius

LCORNELIUS:dre

FILE COPY

OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE
OCR	Cornelius	11:8:76						

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

DEC 1 2 1976

Mr. William L. Taylor, Director
The Center for National Policy Review
School of Law
The Catholic University of America
Washington, D. C. 20017

Dear Mr. Taylor:

As agreed in my deposition of October 12, 1976, I have asked appropriate members of the OCR staff to review the files on:

1. Fort Wayne, Indiana
2. Sweetwater, California
3. Pomona, California
4. New Britain, Connecticut
5. South Bend, Indiana

The files were reviewed with negative results. The only document which was submitted to me from those reviewing the files is the enclosed copy of a letter dated March 24, 1975 to a complainant in New Britain. It may be helpful to you.

In discussing the matter of why a number of reviews appear to have pursued the issue of student assignment while the letter of findings to the School District were silent on the issue, it was brought to my attention and I do recall that most of these case files were presented orally to a panel of OCR and OGC staffers in Cleveland and San Francisco in August and September 1975. In those cases where issues were not sustained by appropriate evidence the respective regional offices were verbally directed to disregard the issue. In other words the file probably does not contain any documents because the direction was given orally.

I hope this assists you in your findings.

Sincerely yours,

Frederick T. Ciotti

Frederick T. Ciotti
Chief, Operations Branch
Elementary and Secondary Education Division
Office for Civil Rights

Enclosure

Appendix D

Superintendent Grile's January 24, 1977, Proposed Reorganization Plan

A PROPOSED PLAN FOR THE FORT WAYNE COMMUNITY SCHOOLS 1977-1983

Presented By

Lester L. Grile, Superintendent

To the

Board of School Trustees

January 24, 1977

INTRODUCTION

The plan which we now present for consideration requires us to look into the future, making projections and plans based upon what has happened in the past, where we are at the present time, and where we project that we should and can be. Specifically, we will want to talk about the years 1977 through 1983, but the proposal establishes a direction for the Fort Wayne Community Schools which has implications for the next twenty years.

The Fort Wayne community can be proud of its past accomplishments in its educational programs. These educational gains have not happened by chance, but have come about as a result of good planning and implementation supported by the Board of School Trustees, parents, and the total community.

The major criterion for testing the components of a plan is its educational value. A plan should contribute to present high standards, and it should also reflect improvement. A school system exists basically to provide educational opportunities for boys and girls as well as the adults it is privileged to serve.

The Administration and the Board of School Trustees recognize that long-range planning is a requirement for public bodies to which are delegated by law responsibility for operation of the public schools. Major consideration must be given to the economic aspects of a plan so that the plan can be implemented after adoption.

The Fort Wayne Community Schools corporation has reached a time when it needs to plan facility adjustments for present and emerging needs. The school system must also adjust to enrollment changes. Projections indicate that total enrollment will continue to decrease slightly until it begins to stabilize and possibly increase in the 1980's. Within the 150 square miles of the school district, some areas will reflect the general decline, but other areas will continue to grow. Facility adjustments will need to result in greater utilization and most economical use of facilities.

Historically, the Fort Wayne Community Schools has financed most of its major capital expenditures on a pay-as-you-go basis through the Cumulative Building Fund. That fund expires in 1977 with the 1978 collection. This method of funding capital improvements has been effective the last two decades. The Cumulative Building Fund has played a major role in maintaining the highest credit rating possible for the school district, a triple "A" (Aaa) rating by Moody's Investors Service, Inc. School planning in this district should continue to use the Cumulative Building Fund as the most economical method of financing needed capital improvements.

In its planning, the Board of School Trustees has recognized its commitment to consider ways in which racial balance can be improved throughout the Fort Wayne Community Schools. This proposed plan includes recommendations for such improvements.

Several major components of this plan relate to the Peabody Study. The Administration appreciates the evaluation of the Fort Wayne Community Schools, including recommendations for improvement of educational opportunities, provided by the study. The Administration and the Board of School Trustees have attended and participated in eleven public meetings beginning with the presentation of the Peabody Report. We have studied the input of the citizens who attended these meetings, and we have welcomed the comments of administrators, teachers, and other employees.

Many persons within and without the community have helped us to evaluate the available options. The Administration has drawn upon the broad and varied experiences of its personnel in the professional judgments reflected in this plan. At this time as we make proposals, we recognize our responsibility to be sure that all actions will be in the best interest of the boys and girls in this community.

A PLAN FOR FWCS — 1977-1983

This proposed plan for the period 1977 through 1983 represents the best professional judgment of the Fort Wayne Community Schools Administration and is presented to the Board of School Trustees for its consideration.

This proposal is a total plan, made up of closely related parts which are dependent on each other. The plan includes grade reorganization and the closing of some schools, both of which actions make major contributions to improvement of racial balance in the elementary grades. We also shall demonstrate the need for new facilities which will necessitate the continuation of the present Cumulative Building Fund tax levy. This proposal must be considered as a total package since each part is dependent for effectiveness upon each other part.

The proposed plan has four recommendations predicated upon the following objectives:

1. To provide better educational programs.
2. To maximize utilization of facilities and staff.
3. To upgrade educational facilities in order to accommodate present and future needs.
4. To improve racial balance.
5. To develop a financial program which is economically feasible.

I. IT IS RECOMMENDED THAT THE BASIC ELEMENTARY UNIT CONSIST OF GRADES KINDERGARTEN THROUGH 5.

This recommendation requires the assignment of the sixth grade to the junior high schools. This action provides needed flexibility at the elementary level, improves utilization of elementary buildings, and makes it possible to effect economies by phasing out some obsolete and smaller schools.

Because we cannot identify at this time continuing need for schools at the present sites of four buildings, we recommend the closing and disposing of these facilities. The four schools are: Hillcrest, Hanna, Harmar, and Hoagland.

Major considerations in this recommendation to close the above four schools are their locations in relationship to pupil populations and/or the physical condition of the facilities.

Pupils from Hillcrest School will be assigned to South Calhoun, Southern Heights, and Maplewood schools.

Pupils from Harmar School will be assigned to Washington, Memorial Park, Forest Park, Riverside, Slocum, and Brentwood schools.

Pupils from Hanna School will be assigned to Bunche Weisser Park, and Harrison Hill schools.

And boys and girls from Hoagland will be assigned to South Wayne, Study, and Lindley schools.

We recommend that the present elementary programs at McCulloch and Ward schools be discontinued and the facilities utilized for the Fort Wayne Community Schools' new Fourth Grade and Fifth Grade Enrichment Centers, respectively. Pupils from McCulloch and Ward will be assigned to Memorial Park and Weisser Park schools, respectively.

In order to provide a more intensive experience in human relations and to improve the preparation of fourth and fifth grade pupils for junior high school and later years, special programs will be developed at Enrichment Centers for each of these grades. The fourth grade program and its special staff will be housed in a center to be located at the McCulloch building, and the fifth grade program and staff will be located at the Ward building.

During one week of each semester, classes of fourth and fifth grade pupils, generally from each junior high attendance area, will be transported from their home schools to these centers. There are twelve junior high schools, so each center will have twelve groups of approximately 225 pupils each attending for one week the first and second semesters each year. Additional preparation before each visit and follow-up activities after each visit will be a part of these special programs. Teachers will accompany their classes to the Enrichment Centers and will participate in the programs there. Parents will be asked to take part at the centers as well as in the pre- and post-activities. The new Department of Community Services will play an important role in involving parents in this program.

The success of the Elementary Enrichment Centers will be closely evaluated to determine if the programs should be expanded into more time for grades four and five and perhaps extended to other grade levels.

In the K-5 organization, we recognize the benefits of greater utilization of the current optional transfer policy which permits boys and girls to transfer from schools which are 50% or more of their race to a school which is less than 25% of their race and where space is available. We recommend that the optional transfer policy be revised to include transportation provisions for those boys and girls in grades 1 through 5 who wish to transfer under this policy.

The Administration proposes during the school year of 1977-1978 to make a survey to determine the amount of interest and possible participation in racially balanced special schools or special centers. Any conclusions and/or recommendations in this area will be considered by December 31, 1978.

Also, if there is sufficient interest and participation in voluntary racial balance transfers, it would be possible to consider establishing an extended school day at the Elementary Enrichment Centers (McCulloch and Ward). The centers could be open for students before and after school and would serve as collection and drop off points for transportation.

II. IT IS RECOMMENDED THAT THE JUNIOR HIGH SCHOOL ORGANIZATION INCLUDE GRADES 6 THROUGH 8.

There is educational justification for moving the sixth grade into the junior high program. Sixth grade pupils will profit from the additional educational opportunities which will be open to them in the junior high school facility. Program modifications open for sixth graders in this new environment will be a great educational advantage.

We do have some facility needs at the junior high school level, but moving the sixth grade into the junior high school will not require the major changes in most junior high physical facilities which will be necessary if the ninth grade is left in the junior high schools.

Moving sixth grade pupils into junior high schools will move some 2,800 additional boys and girls into the radial plan of attendance which is used for the secondary schools of Fort Wayne. This will involve nearly 15% of our present elementary enrollment in a racially balanced school environment.

III. IT IS RECOMMENDED THAT THE SENIOR HIGH SCHOOL ORGANIZATION INCLUDE GRADES 9 THROUGH 12.

Recent evidence favors inclusion of the ninth grade program in the senior high school for many reasons beneficial to the students. These reasons include increased maturity of ninth graders, additional opportunities for elective and specialized courses, involvement of the ninth grade with high school graduation requirements, use of ninth grade courses in applications for college admission, and the importance of the ninth grade to continuity of the extra curricular programs, including athletics, music, drama, speech and journalism in senior high schools. Educational opportunities for ninth grade pupils will be enhanced by assigning them to the senior high school.

All ninth grade pupils cannot be moved now without major impact on educational programs, because we do not have needed capacity at the senior high level or all of the needed

special instructional facilities. Nor can we project sufficient enrollment decreases to say that grades 9-12 could be accommodated in existing facilities. Because of locations, size, site limitations, enrollment needs, uneven distribution of pupils in the school district, and excessive costs of additions, it is not advisable to add to the existing high schools. Moving some 3,200 ninth graders into the senior high schools will require a commitment of this school corporation to build a new high school to house approximately 1,500 pupils. This move also will require adaptations in the existing six high schools to provide space and facilities. Projections of enrollments indicate adequate and defensible utilization of all projected senior high school facilities in the foreseeable future.

The additional high school spaces will be needed in the northern part of the school district because of present enrollments and projected growth. The Allen County Plan Commission has forecast population increases for all four townships of the school district in the next 13 years. However, the major increases are projected for Washington and St. Joseph townships in the north.

This additional high school facility in the north also will accommodate anticipated reassignment of some students in order to maintain racial balance at the secondary level.

IV. IT IS RECOMMENDED THAT THE CUMULATIVE BUILDING FUND RATE OF 70c BE CONTINUED TO COVER COLLECTIONS IN THE YEARS 1979 THROUGH 1983.

With existing balances and anticipated collections through 1983, the Fort Wayne Community Schools, through the continuance of the present Cumulative Building Fund tax rate, will have sufficient capital funds for anticipated needs including construction of the new high school.

IMPLEMENTATION SCHEDULE

Implementation of these programs and facility changes can begin in September of 1977, and all reorganization and related facility changes can be completed by September, 1980.

In September of 1977, the ninth grade will continue in Wayne High School. During the 1977-1978 school year, Wayne High School will be used as a model for the 9-12 organization program for other senior high schools.

Also in September of 1977, the sixth grade at Miami Junior High School's feeder schools will be assigned to Miami, creating the first junior high of grades 6-7-8. We will use the 1977-1978 school year to develop a model educational program for future junior high schools of grades 6-7-8.

The present program at McCulloch Elementary School will be discontinued in the spring of 1977, and those pupils will be assigned to Memorial Park in September, 1977.

The Fort Wayne Community Schools' Fourth Grade Center at the McCulloch building will open in September, 1977. However, until all of the sixth grade pupils are moved into the 6-7-8 junior high schools, this Enrichment Center may serve sixth grade as well as fourth grade. The Fifth Grade Center will open in September, 1978, when facilities at the Ward building become available.

Harmar School will close in June of 1977, and in September the students in the present Harmar attendance area will be assigned to Washington, Memorial Park, Forest Park, Riverside, Slocum, and Brentwood schools.

In June of 1978, Hillcrest, Hanna and Hoagland schools will close. Hillcrest's attendance area will be divided among Maplewood, Southern Heights, and South Calhoun schools. Hanna pupils will attend Bunche, Weisser Park, and Harrison Hill schools; and Hoagland pupils will be assigned to South Wayne, Study, and Lindley schools.

In all school closings existing transportation policies will be applied.

Continuing evaluation of improvements in racial balances and possibilities for more adjustments will be made each year and a report made to the Board of School Trustees at the last meeting each October.

SUMMARY

This plan is recommended by the Administration to the Board of School Trustees for adoption no later than April, 1977. Action at that time is important in order that implementation may begin in September of 1977.

The plan merits adoption because:

1. It provides excellent opportunities for better educational programs through grade reorganization.
2. It allows for optimum use of facilities during periods of pupil population changes.
3. It upgrades facilities in those areas where they are needed most at this time and in the foreseeable future.
4. It makes improvement at this time in racial balances which are educationally sound and at the same time are economically feasible, and involve the total community.
5. It emphasizes a creative approach to helping fourth and fifth grade pupils to learn to live in a multi-ethnic and multi-racial environment.
6. It sets forth long-range goals which can be accomplished on a pay-as-you-go program without mortgaging the future of this school corporation.

These six features of the plan merit serious consideration and acceptance by the Board of School Trustees and the community.

We trust that members of the Board, parents, school personnel and other interested citizens will study and consider this plan as a totality and seek to grasp its forward-looking aspects, its prudence and its reach for community unity.

Appendix E

Organizations Joining Coalition to Protest Grile's Reorganization Plan, as of April 22, 1977

Allen County Economic Opportunity Council, Inc.
Fort Wayne Urban League
Fort Wayne NAACP
League of Women Voters of Fort Wayne
Inter-Religious Action Council
YWCA-Public Affairs
American Association of University Women
East Central Neighborhood Association
Neighborhood Services Association
Social Concerns Commission, East Wayne St. First United Methodist Church
Community Coordinated Child Care of Allen County
East Wayne St. Center
St. Mary's Catholic Church
Fort Wayne Education Association
Women's Bureau

Appendix F

Urban League Alternative to Segments of Superintendent Grile's Reorganization Plan

FACSIMILE

A RESPONSE AND ALTERNATIVE TO THE FWCS' ADMINISTRATION PLAN, FORT WAYNE URBAN LEAGUE, INC.

FOR IMMEDIATE RELEASE:

The Proposed Plan for the Fort Wayne Community Schools 1977–1983 presented on Monday, January 24th, falls far short of the Board of Trustees resolutions. In 1974 the School Board of Trustees resolved to look for ways to eliminate segregation in the elementary schools. Considering a relatively successful secondary plan and thousands of dollars spent to develop ways to desegregate the elementary level, we are very disappointed in the results. Furthermore, we do not consider the Administration's plan to be a plan of desegregation.

Again, the inner-city community is bearing the major brunt and the school system will be accomplishing less. The schools closely bordering inner-city are experiencing some desegregation now. It has been clearly documented that totally excluding suburban schools forces rapid re-segregation. The Peabody Study reported that "a strategy aimed at having elementary school children attend schools no more than one school removed from their homes must be judged unworkable. The enrollment data demonstrates that any permanent desegregation action must go beyond the nine school zones which encircle the inner-city zones." Six of the schools from the nine school zones are part of the Administration's Plan. Regarding the schools slated for closing—Hanna, Harmar, Hoagland and Hillcrest—with the possible exception of Harmar, the Administration's plan is only fostering re-segregation. In other words the proposed plan is providing band-aid approaches. This community should try to avoid repeating this long and costly process in the near future. We have an excellent opportunity to demonstrate good faith now.

The Enrichment Center suggested for McCulloch and Ward seems very shortsighted. There is even some question as to whether they are feasible as planned. It is practically impossible to accomplish the stated objectives, in only one week per semester. The Enrichment Centers would be an excellent idea as a supportive program to a desegregation plan. Presently, it's an admission of accepting noncompliance, because it suggests that we are doing nothing in the elementary schools today and have no plans for the remaining weeks in home-based schools. The Administration plan acknowledges a need for human relations and preparation of fourth and fifth grade pupils for junior high school and later years. Yet it proposes a plan that will barely scratch the surface. It has been illustrated that this age group has most likely developed racial biases, and are influenced by stereotypes and myths. Therefore, it's doubtful that much can be accomplished in only two weeks per school year. The short, rather staged experience could easily enhance feelings of difference and raise more problems than it can alleviate.

The Urban League recognizes the possible need for a new high school as a result of the grade reorganization. However, we oppose the suggested site to be in the north quadrant of the city. A new high school in St. Joseph or Washington Township again puts the burden of long distance traveling on inner-city students. Furthermore, it completely overlooks the opportunity for Central City and Inner-City redevelopment efforts. The growth and revitalization of the Central City could be greatly enhanced with a new high school in the near vicinity. It appears the school administration embraces the neighborhood concept for suburban communities and completely ignores the wishes of inner and central city residents.

The proposed grade reorganization, moving 6th grade into middle school can only be considered a first step minimum effort. We endorse the four (4) year high school.

The Urban League would like to propose the following alternatives. We believe it can be accom-

plished well within the Administration time table at no additional cost. Our suggested alternatives is not considered as the total answer; yet we feel it moves us closer to alleviating segregation at the elementary level.

Suggested Alternatives—1st Step—Implementation Date: September 1977

I. Retain grade K pupils close to the Inner-city and Central City schools.

II. Assign McCulloch students to Glenwood Park, which is a distance of 2.6 miles, as per the Peabody Study. Or divide the McCulloch students and assign some to Brentwood. We feel this makes more sense than the Administration's proposal to assign McCulloch students (90.7% Black) to Memorial Park (73.3% Black) to achieve racial balance.

III. Pair Hillcrest to Weisser Park (2.8 miles distance) by the grade method. The pairing of Weisser Park and Hillcrest seems more feasible than tearing Hillcrest down and assigning the students to South Calhoun and Maplewood, as the Administration suggest. In essence, the Administration is moving majority (white) students into schools with over 90% majority students now.

IV. Assign Hanna to Lindley at a distance of 2.9 miles, and Harrison Hill, approximately the same distance. We fail to understand the Administration's rationale of assigning Hanna students (93.5% Black) to two of the three proposed schools (Bunche and Weisser Park) which have over 80% Black students enrolled today.

V. Assign Hoagland students to Bunche and Young. Again, distance would not exceed 3 miles. Assigning Hoagland students (89.8% white) to South Wayne (98.1% white) as the Administration suggests, achieve very little or no racial balance.

VI. Pair Memorial Park and Forrest Park.

VII. Assign Harmar students to Washington, Riverside, Slocum and Bloomingdale.

VIII. Assign Ward students to Abbett, South Calhoun, and Harrison Hill, and still maintain distance traveled. The Administration is proposing that Ward (69.9% Black) be assigned to Weisser Park (82.9% Black), which in essence is re-segregation.

IX. The site for the new high school should be close to the Central City.

X. The Enrichment Centers should be utilized as a support program to aid parents, students and teachers. A much more serious attempt should be made to simulate a healthy learning multicultural environment for students. For example, developing semester programs that are innovative and educationally sound with emphasis on human relations. The Program should be designed for the entire school year and the racial breakdown should stay within the 10–30% band. The Enrichment Center could be utilized to study the effectiveness of a magnet school plan.

We do not claim to be experts in the field of school desegregation: however, we strongly feel that alternatives must be presented to the Administration's proposal. The Urban League believes we must move toward learning to understand, respect and value diverse people's cultural heritage and be aware of their needs. There is nothing more educationally sound in America's democracy than teaching all races to live and work together. The process must begin early if we are to achieve a goal of equalizing life chances to accomplish more just results.

Appendix G

Staff Analysis of Data Pertaining to Faculty Desegregation, Fort Wayne Community Schools—1976–77 School Year

U.S. Commission on Civil Rights, Midwestern Regional Office

Background

In a Nov. 17, 1975, letter to FWCS Superintendent Lester L. Grile, Kenneth A. Mines, Region V Director of the Office for Civil Rights (OCR) of the U.S. Department of Health, Education, and Welfare, stated:

> [that the school district's] practice of assigning minority group faculty to schools attended predominantly by minority group students has caused or increased the racial identifiability of 34 of Fort Wayne's schools as intended primarily for children of one race.

Based on this determination, Mines told Grile that the FWCS faculty assignment practices constituted a violation of Title VI of the Civil Rights Act of 1964 and of HEW regulations, at 45 C.F.R. §80. OCR told the FWCS to submit a faculty desegregation plan that:

> must provide for the reassignment of faculty so that the ratio of minority group teachers in each school is substantially the same as the ratio throughout the District. (See appendix A of this report, p. 2 of Mines letter.)

Beyond that, according to a Sept. 23, 1976, letter from Lloyd R. Henderson, Director of OCR's Elementary and Secondary Education Division, to Supt. Grile, the district also agreed that:

> faculty will be assigned so that at each school there will be a substantially equal admixture of teachers according to experience, teaching skills, and post-graduate degrees***.

In the same letter, Henderson also asked the district to provide, by Oct. 15, 1976, the following:

> a revised list of teacher assignments for 1976–77 as they become finalized at the opening of school. The list should include a breakdown of teachers assigned to each school according to race, educational degrees, certificates and experience. (See appendix A, pp. 1, 2 of Henderson letter.)

According to documents received by the Commission's Midwestern Regional Office from the OCR Cleveland office, Superintendent Grile sent only part of the requested data. The superintendent's data included the number of black teachers by school and a list of the 18 black teachers transferred for the 1976–77 school year, including their years of experience, degrees, and certificates. The data, however, pertained only to elementary schools. Thus, according to OCR records provided Commission staff, the district sent OCR no data regarding "educational degrees, certificates, and experience" of the remaining black elementary teachers (43 other than the 18 for which data were provided), and no data whatsoever regarding white and other minority teachers in the system, including all teachers at the secondary level.

Five and one-half months later, on Mar. 18, 1977, Orrie Barr, of the OCR Cleveland office, wrote Superintendent Grile, asking that he send, by Apr. 15, the rest of the data requested by Henderson in September 1976, and projections for the 1977–78 school year.

According to documents received from OCR, the superintendent responded on Apr. 13 with a list of all elementary schools showing numbers of teachers in each school by race, degrees earned, years of experience, and certification. Again, no comparable data were supplied regarding secondary schools.

Analysis of Data

Based on these data Commission staff have calculated, for each elementary school, the percentage of minority teaching staff, percentage of teachers having master's degrees, and the average number of years teaching experience of teachers in each school, as compared with the minority percentage of each school's total student enrollment (see table G-1 of this appendix).

In general the data indicate that the 12 elementary schools having high minority enrollment (more than the district-wide elementary minority enrollment percentage of 20.8 percent) also tend to have higher proportions of minorities among teaching staff, lower proportions of all teachers

having master's degrees, and less experienced teaching staffs. (Data on certification of teachers were not analyzed because information interpreting these data was not included in the district's list.)

Specifically, all but two of the high minority elementary schools also have more than the district-wide proportion of minority teachers. By comparison, 27 of the 33 low minority elementary schools have less than the district-wide proportion of minority teachers. While 8 of the 12 high minority schools have a proportion of teachers with master's degrees which is less than the district-wide average, the opposite is true of the low minority schools. Twenty-two of the district's 33 low minority schools have a proportion of teachers with master's degrees which is more than the district-wide average. Similarly, 8 of the 12 high minority schools have faculties with less than the district-wide average years of teaching experience, while 21 of the district's 33 low minority schools have faculties with more than the district-wide average years of teaching experience.

When Commission staff submitted these data to the Chi Square test of statistical significance, the following relationships were found:

a) The relationship between the race of teachers and the racial composition of the schools to which they were assigned was significant at the .001 level (χ^2=11.05). That is, minority teachers were disproportionately assigned to schools having high minority enrollment.

b) The relationship between teachers' academic credentials and racial composition of their assigned schools was significant at the .001 level (χ^2=14.55). That is, teachers having master's degrees were disproportionately assigned to schools having low minority enrollments.

c) The relationship between teachers' length of teaching experience and the racial composition of their assigned schools was significant at the .001 level (χ^2=18.56). That is, teachers having more years of experience were disproportionately assigned to schools having low minority enrollments.

It should be noted that tests of statistical significance, such as the Chi Square, indicate neither the causes nor intent behind the relationships under examination. "Statistical significance" refers to the likelihood that a given relationship between two variables is a random occurrence. In each of the three relationships between variables examined here, therefore, the likelihood that any of these patterns occurred by chance is less than one out of 1,000.

The Chi Square tests reported here were based upon data for each of the district's 757 reported elementary teachers, and are presented in table G-2 of this appendix.

The unequal distribution of teacher characteristics in the schools is directly related to the racial composition of student bodies. In the case of assignment of minority teachers, the effect is to contribute to the identifiability of some schools as being intended for one racial group. In the case of the distribution of teachers' credentials and experience among schools, the effect is to provide a lower level of resources to schools currently having high minority enrollments.

Based on this analysis, it is clear that among elementary schools in the FWCS there is not yet "a substantially equal admixture of teachers" according to their race, experience, and credentials.

Table G–1

COMPARISON OF MINORITY STUDENT ENROLLMENT WITH FACULTY ASSIGNMENTS BY: SCHOOL AND DEGREES, EXPERIENCE, AND MINORITY PROPORTION OF FACULTY FORT WAYNE COMMUNITY SCHOOLS, 1976–77 SCHOOL YEAR ELEMENTARY SCHOOLS

School	(A) Minority percentage of enrollment	(B) Minority percentage of teachers	(C) Percentage with masters degree	(D) Average no. of years of experience
1. Young	97.1	11.1	72.2	7.6
2. Bunche	95.9	13.3	66.7	6.9
3. Hanna	95.3	18.2	90.9	9.3
4. McCulloch	93.0	33.3	66.7	8.9
5. Harmar	91.1	15.4	76.9	16.5
6. Weisser Park	84.9	16.1	61.3	6.4
7. Ward	80.8	12.5	75.0	6.3
8. Memorial Park	78.3	22.2	88.9	8.9
9. Irwin	63.0	6.7	80.0	14.1
10. Adams	51.2	13.3	93.3	18.9
11. Study	41.1	10.0	90.0	11.9
12. Southern Heights	22.1	7.7	84.6	18.6
13. Abbett	18.6	5.6	94.4	14.3
14. Hoagland	18.2	5.6	77.8	11.5
15. *Allen Co. Children's Hm.	17.2	50.0	100.0	21.0
16. Lindley	13.6	9.1	81.8	9.0
17. South Calhoun	13.5	7.1	78.6	18.1
18. Holland	12.1	5.3	94.7	15.3
19. Washington	11.2	16.7	91.7	14.1
20. Glenwood Park	8.5	10.5	84.2	14.1
21. Hillcrest	8.3	0	100.0	14.9
22. Brentwood	8.0	6.3	75.0	16.6
23. South Wayne	6.2	4.6	90.9	15.8
24. Pleasant Center	5.5	0	88.9	11.4
25. Northcrest	4.6	5.9	88.2	12.9
26. Indian Village	4.3	6.3	81.3	11.1
27. Haley	4.2	6.9	93.1	13.5
28. Slocum	3.9	8.3	91.7	13.4
29. Nebraska	3.4	8.3	75.0	10.3
30. Arlington	3.3	4.8	81.0	7.8
31. Bloomingdale	3.1	5.9	94.1	17.6
32. Riverside	3.0	11.1	77.8	11.4
33. Shambaugh	2.7	8.3	83.3	11.7
34. Harris	2.6	4.2	91.7	12.8
35. Price	2.6	5.0	90.0	12.5
36. Forest Park	2.5	8.0	92.0	14.2
37. Croninger	2.3	8.3	95.8	14.6
38 St. Joseph Central	2.1	4.2	91.7	15.5
39. Waynedale	2.0	5.3	73.7	19.7
40. Harrison Hill	1.8	6.9	93.1	15.2
41. Maplewood	1.7	4.8	90.5	19.1
42. Washington Center	1.2	4.6	90.9	13.4
43. Anthony Wayne	1.0	9.1	100.0	18.3
44. Franke Park	1.0	6.3	87.5	17.4
45. Lincoln	0.8	7.7	92.3	12.8
ALL ELEMENTARY SCHOOLS	20.8	8.5	85.6	13.3 years

* Only 2 faculty reported.

Sources: Student data is from Fort Wayne Community Schools, Student Enrollment by Race—DPI–EIR–1, Sept. 17, 1976. Teacher data is from Fort Wayne Community Schools, Lester L. Grile, Superintendent, letter to O.O. Barr, Chief, Elementary and Secondary Education Branch, Office for Civil Rights, Region V, HEW, Apr. 13, 1977. Analysis of data was performed by staff of the Midwestern Regional Office, U.S. Commission on Civil Rights.

Table G–2

RELATIONSHIPS OF THE RACE, CREDENTIALS, AND EXPERIENCE OF TEACHERS TO THE MINORITY ENROLLMENT OF THEIR ASSIGNED SCHOOLS FORT WAYNE COMMUNITY SCHOOLS: 1976–77 SCHOOL YEAR ELEMENTARY SCHOOLS

A. Relationship Between Teachers' Race and Minority Enrollment of Their Assigned Schools

Race of Teacher	Minority Enrollment of Assigned School*	
	High	Low
Minority	27	38
White	159	533
$X^2 = 11.05$; $p < .001$	(N = 757)	

B. Relationship Between Teachers' Credentials and Minority Enrollment of Their Assigned Schools

Credentials of Teacher	Minority Enrollment of Assigned School*	
	High	Low
Masters Degree	142	507
Bachelors Degree	42	66
$X^2 = 14.55$; $p < .001$	(N = 757)	

C. Relationship Between Teachers' Years of Experience and Minority Enrollment of Their Assigned Schools

Teachers' Years of Experience*	Minority Enrollment of Assigned School*	
	High	Low
More Than District Mean	46	245
Less Than District Mean	138	328
$X^2 = 18.56$; $p < .001$	(N = 757)	

* "High Minority" and "Low Minority" schools are those having, respectively, more or less than the district-wide percentage of minority enrollment in elementary schools, which is 20.8 perment in the 1976–77 school year.

* The mean number of years of teaching experence among elementary teachers in the Fort Wayne Community Schools is 13.3 years in the 1976–77 school year.

Sources: Student data are from Fort Wayne Community Schools, Student Enrollment by Race—DPI–EIR–1, Sept. 17, 1976. Teacher data are from Fort Wayne Community Schools, Lester L. Grile, Superintendent, letter to O.O. Barr, Chief, Elementary and Secondary Education Branch, Office for Civil Rights, Region V, HEW, Apr. 13, 1977. Analysis of data was performed by staff of the Midwestern Regional Office, U.S. Commission on Civil Rights.

* U. S. GOVERNMENT PRINTING OFFICE : 1977 720-022/472